The Messages and Proclamations

OF THE

Governors

OF THE

STATE of MISSOURI

COMPILED AND EDITED BY

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PREFACE

This volume of the "Messages and Proclamations of the Governors of the State of Missouri" includes the messages and proclamations of Governors John Sappington Marmaduke (1885-1887), Albert P. Morehouse (1887-1889), and David Rowland Francis (1889-1893.)

FLOYD C. SHOEMAKER.

Columbia, 1926.

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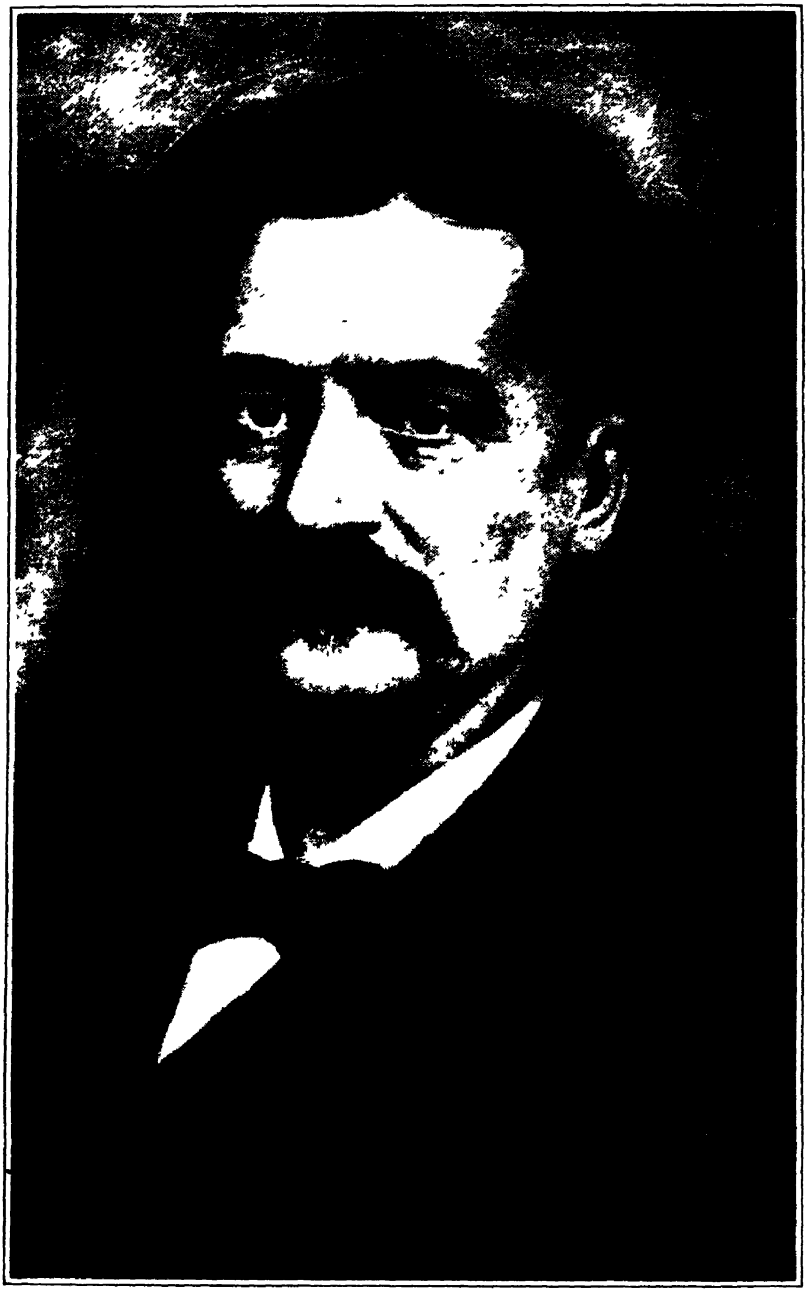

JOHN S. MARMADUKE
Governor 1885-1887

JOHN SAPPINGTON MARMADUKE

BY

C. H. McCLURE

John Sappington Marmaduke, the twenty-fifth governor of the State of Missouri, was born on his father's farm in Saline county, Missouri, on March 14, 1833. He was descended from an old English family of Marmadukes. There is an early record of a Sir Miles Meredith Marmaduke who lived in Westmoreland county, England. Some members of the family immigrated to Westmoreland county, Virginia.

Soon after Missouri became a state another Miles Meredith Marmaduke moved from Westmoreland county, Virginia, to Saline county, Missouri. This Miles Meredith Marmaduke, who became the eighth governor of Missouri, was the father of John S. Marmaduke. The mother of John S. Marmaduke was Lavinia Sappington, the daughter of the famous Dr. John Sappington of Saline county, who had come to Missouri from Tennessee.

Young Marmaduke attended the country schools of Saline county, Chapel Hill Academy in Lafayette county, and Yale University. While a student in the University he was appointed to West Point by Congressman John S. Phelps. After his graduation in 1857, he was assigned to duty in the First United States Mounted Riflemen but was soon transferred to the Seventh United States Cavalry under Colonel Albert Sidney Johnston, where he served in the Mormon war in Utah. A strong friendship developed between Colonel Johnston and the young officer.

When the Civil war came on the officers of the army were confronted with the question of remaining loyal to the Stars and Stripes or resigning and casting their lots with the southern Confederacy. Marmaduke took a furlough, came home, and talked the matter over with his father before making a final decision. The ex-governor had been a strong

Benton Democrat and like Benton made his allegiance to the Union a cardinal principle of his life. A member of the family has related that he said: "John, there can be but one result. You will sacrifice your profession. Secession will fail. Slavery will be abolished. But you must decide for yourself following your own convictions." Young Marmaduke, like many other young men who belonged to the old Benton Democratic families, cast his fortunes with the South against the advice and sound judgment of the older generation who had trained with Thomas Hart Benton and Andrew Jackson. He resigned, joined the Missouri State Guard, and was commissioned colonel by Governor Jackson.

Colonel Marmaduke was probably the best trained pro-southern military man in Missouri at the outbreak of the war. General Price being ill, he was placed in command of the army which Governor Jackson had raised to oppose Lyon at Boonville. Marmaduke advised against fighting at Boonville but was ordered by Jackson to give battle. The State troops were defeated as Marmaduke had foreseen. He resigned, went to Richmond, and tendered his services to the Confederate government. He was commissioned lieutenant-colonel and assigned to General Hardee's staff in Arkansas, but was soon transferred to his old commander, Albert Sidney Johnston, east of the Mississippi and given command of the Third Regiment. He took a conspicuous part in the desperate battle of Shiloh, where he was wounded, and made a brigadier-general because of his bravery and unusual ability displayed upon the battlefield.

After the battle of Shiloh, Marmaduke was again transferred to Arkansas where he served with marked ability and was promoted to the rank of major general. While serving here under General Walker the saddest incident of his life occurred. A quarrel, not on Marmaduke's initiative, took place between him and General Walker. Walker challenged Marmaduke to a duel in which Walker was killed.

General Marmaduke fought always with distinction in many engagements in Arkansas. His cavalry command was a part of General Price's army in Price's final raid through Missouri in the fall of 1864. Marmaduke, while covering the retreat of Price's army with his cavalry, was overwhelmed and taken prisoner by the superior Union army. He was held a prisoner until the end of the war. After his release he went to Europe and stayed for six months. He then returned to Missouri and engaged in business until 1875, when he became railroad commissioner in which capacity he served the State until 1880.

He was a candidate for governor in 1880 but was defeated for the nomination by Colonel Wm. T. Crittenden of Warrensburg. Four years later he easily won the Democratic nomination, which, at that time, was equivalent to election. He served the State faithfully and well as governor from 1884 until his death on December 28, 1887.

As governor he showed the best of judgment in selecting his appointees to office and never allowed personal friendship to influence him against the public welfare. Probably his military training caused him to be unusually frank in dealing with applicants for office. He was always definite in his statements and never left the office seeker in uncertainty. It is said that if he did not intend to give a favorable answer he always began his answer with "No, I will not appoint you to that office."

The most important problem of his administration was that of regulating the railroads. Having studied the problem carefully he came to the conclusion that a law for the control of railroads should be passed. He recommended such a law to the Legislature of 1887. In those days railroads issued passes freely to anyone with political influence and maintained lobbyists at the State capital. They were bitterly opposed to the legislation recommended by the governor and had sufficient influence to defeat it at the regular session and the General Assembly adjourned without action.

Governor Marmaduke promptly summoned the Legislature in extra session and placed before both houses the problem of railroad legislation. There was a majority against the legislation and it was proposed to again adjourn without action. The governor announced that, in such event, he would immediately call another session and continue to call extra sessions until some action was taken. The railroads sent their ablest attorneys to Jefferson City to prevent action but Governor Marmaduke finally had his way and the Legislature passed a railroad law which was entirely satisfactory to him.

The first great railroad strike in the country occurred during Governor Marmaduke's administration. He handled the situation with such firmness and evident fairness that the trains were soon moving in Missouri and the strike was broken without the loss of a single life. His successful advocacy of railroad legislation and the skillful manner in which he managed the strike established his reputation as a wise, firm and capable executive who could be trusted in any emergency.

General Marmaduke was above six feet in height, was well formed, and carried himself with the military bearing to be expected in a well trained soldier. He had blue eyes, ruddy complexion, light brown hair and wore a slight mustache of the same color. He never married. It is said that he always kept in his trunk a package of letters addressed in a feminine hand which told a story that only General Marmaduke knew. Exposure to the inclemency of the weather in December, 1887, brought on an attack of pneumonia, and he died on the 28th of the month. His death caused the profoundest sorrow and regret in all parts of the State. He had become generally recognized as one of the best governors Missouri had ever had. He was buried in Jefferson City, where the State has erected a beautiful granite monument to his memory.

INAUGURAL ADDRESS

JANUARY 12, 1885

From the Journal of the House of Representatives, pp. 93-96

Senators and Representatives:

It is proper, upon assuming the duties which devolve upon the Chief Executive of a great commonwealth, to acknowledge our dependence upon the Supreme Ruler of the universe, for the manifold blessings we enjoy, to invoke His aid for a continuance of such blessings, and to indulge the hope that peace and prosperity may continue, the facilities for the acquisition of knowledge be extended, and by a wise and careful administration of public affairs, the happiness of the whole people be permanently promoted.

Having been nominated for the office of Governor by a convention of the Democratic party, and elected by the qualified voters of the State, without the aid of cliques or rings, but in spite of their potent and persistent opposition, I enter upon the discharge of the duties of the office without pledges of any kind, and absolutely free to perform every duty which may devolve upon me, with an eye single to the welfare of the whole people of the State.

In the selection of persons to fill positions, which the constitution and laws devolve upon me, I shall appoint persons who, in my opinion, have the necessary qualifications, and whose previous good conduct shall give assurance that they will honestly and faithfully discharge the duties of their respective offices in such manner that there shall be no just cause of complaint.

You are called upon to perform legislative duties for more than two and a half millions of people, occupying a territory of more than sixty-seven thousand square miles, with a salubrious climate, almost every variety of soil, producing all the grasses, grains, fruits and vegetables in great

perfection that can be grown in a temperate climate, extensive forests of valuable timber, the soil underlaid with mines of coal, iron, lead, zinc and copper in vast abundance and of superior quality, besides many other valuable minerals of great utility in the arts and manufactures. You have nearly 5,000 miles of completed railroads, with prospects of large additions thereto. These, and many other advantages which might be enumerated, should stimulate you to leave nothing undone on your part which may be proper to develop the wonderful resources of our great and growing State.

You are assembled here not to make a new code of laws, but to amend such laws as time and experience have shown to be defective, or not suited to the age in which we live, and to pass such new laws as the increase of population, the growth of agricultural, mining and manufacturing industries, and the rapid extension of the internal facilities for travel and transportation make necessary. Laws which have been found to be unwise or inexpedient, or not adapted to the wants or conditions of our people, and all criminal statutes which are practically disregarded by courts, grand and petit juries, and utterly disregarded by the people generally, should be either modified so as to be justly enforced, or repealed, as the habitual disregard of any law tends to lessen that respect which all citizens should have for each and every law of the State. My own opinion is, that people are best governed who have few laws, only those absolutely necessary, plainly expressed and vigorously enforced.

It will be my duty, in strict accordance with the provisions of the constitution, and in compliance therewith, to cause all laws to be faithfully executed, and to impartially protect the rights of every citizen, without distinction of race or color; and this I will endeavor to do, without regard to my individual opinions as the propriety of any particular law.

The people of Missouri have, from the earliest period in the history of the State, favored and encouraged education.

Laws were passed from time to time setting apart moneys arising from various sources for the purpose of establishing a permanent fund for the support of common schools. By statutory enactment in 1853, twenty-five per cent. of the entire State revenue was annually set apart for the support of the common schools. That which was done by statute in 1853 was incorporated into the Constitution of the State in 1875. In addition to the twenty-five per cent. annually set apart, Missouri has permanently invested in bonds, State, county and township school funds amounting to nearly ten million dollars, the interest of which is annually collected and used for the support of our common schools. To increase the sum to be annually expended, the people of the State voluntarily tax themselves nearly three million dollars each year for the same purpose. Separate schools are provided for the children of colored citizens, by means of which all share alike in the benefits arising from our excellent system of common schools.

The State University, located at Columbia, together with the School of Mines and Metallurgy located at Rolla, have liberal investments of a permanent character provided for their support.

The State has established three normal schools, located in different sections of the State, for the education of the teachers of our common schools, and the Lincoln Institute at Jefferson City, the latter especially devoted to the education of teachers for the colored schools throughout the State, which gives assurance to the colored citizens of Missouri that the education of their children will not be neglected.

When to these are added a large number of colleges, academies and schools supported by private means, the people of Missouri are placed in the front rank among the friends of education—with such ample provisions thus made, every child in the State, without regard to race or color, may acquire a common school education.

Financially, Missouri stands among the foremost States composing the Federal Union. Under the provisions of the present constitution the debt of the State is diminishing

from year to year, and the counties, cities and towns are also rapidly liquidating their debts; and being forbidden by the fundamental law of the land to contract new debts, the day is not far distant when a new impetus will be given to the material prosperity of the State; the citizens will not be taxed annually to pay interest, and their entire earnings can be devoted to increasing their own comforts, and aiding in developing the hidden resources of the State.

In conclusion, permit me to say that it will be my duty, as well as my pleasure, to co-operate with you in all measures that will redound to the advantage and promote the best interests of our great and growing State, and it will be my pleasure to communicate to you my views, from time to time, on questions which affect the public welfare.

[JOHN S. MARMADUKE.]

BIENNIAL MESSAGE

JANUARY 7, 1887

From the Journal of the Senate, pp. 16-33

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 7, 1887.

Gentlemen of the General Assembly:

Missouri stands today among the foremost in the greatest confederation of States upon the earth. Everywhere over her broad domain peace and plenty are found. Her laws are just, and are vigorously enforced. Her people are intelligent and patriotic and heartily sustain those in lawful authority in the discharge of every duty. Her natural resources are unbounded and comprehend almost every variety found in this latitude, of those things which contribute to the comfort of man. Her inhabitants, fully two and one-half millions of people, are enlightened and industrious, and are wisely and energetically extending their facilities for converting these natural resources—raw materials—into the best condition for use. The figures (two thousand millions of dollars) which express the natural and acquired wealth of her people at the present time, stands for an enormous sum. Her revenues collected for public use have been economically expended. Her courts, and all the other parts of the machinery of government, are performing the work devolving upon them in the most satisfactory manner.

As a result of these facts—for they all enter into the result—and probably the best evidence that they are true and are known and appreciated, her credit in the great money centers is as good as the best; and a strong and steady immigration of sturdy and valuable citizens is being brought into our midst.

As contemplated in the State Constitution, I herewith lay before your body my estimate of the amount of money

it will be necessary to raise by taxation within the next two years; and some observations touching the operations of those entrusted with the management of the people's business, and of the public institutions established and maintained by taxes levied upon the whole people.

TAXATION FOR ALL PURPOSES

The estimates herein are made upon the same basis as those contained in more detail in the report of the Auditor. They are:

Interest on debt	$1,485,920
Sinking fund	500,000
Civil list	641,550
Eleemosynary and educational institutions	530,200
Assessing and collecting the revenue	300,000
Costs in criminal cases	500,000
Maintenance of public schools	950,000
Pay and contingent expenses of the General Assembly	145,000
Sundry small appropriations	210,080
Total	$5,262,750

The revenues under the present levy of 40 cents on the $100 will largely exceed that sum; but as the surplus can all be profitably used in retiring 6 per cent. bonds at par, I do not deem it wise to now alter that levy.

FUND COMMISSIONERS

The operations of the Board of Fund Commissioners for the past two years are given in the following memorandum:

On the first day of January, 1885, the outstanding bonded debt of the State was $11,803,000, bearing 6 per cent. interest, of which only $3,000 matured in 1885. This sum was paid at maturity.

After advertising for offers of bonds to absorb the sinking fund, the board, on the 4th of May, 1885, purchased 441 bonds at a cost of $549,781.30, including interest; and

Main

on the 2d day of October, 1885, they purchased 53 bonds for $65,235.03, including interest.

The bonds maturing in 1886, amounted to $2,129,000, which was largely in excess of the resources of the sinking fund. To provide for this excess, the Thirty-third General Assembly passed a Funding Bill authorizing the Fund Commissioners to issue 5-20 funding bonds from time to time as the necessity arose.

On March 17, 1886, Pacific R. R. bonds matured amounting to $1,081,000. To meet this demand the board sold and issued, under the funding act, 650 of the new 5-20 funding bonds, bearing 3½ per cent interest, and dated March 15, 1886. On this sale they realized a premium of $12,538.50, making the proceeds $662,538.50. The balance of the $1,081,000 being paid out of the sinking fund.

On the 13th of June, the Fund Commissioners paid $75,000 North Missouri Railroad bonds maturing on that day, and on the 22d of August, $120,000 North Mo. R. R. bonds maturing on that day, both out of the sinking fund.

On the 5th of September, $391,000 North Mo. R. R. bonds matured, and on the 10th of November, $462,000 H. & St. Joe R. R. bonds matured. To meet these demands the board sold and issued 300 of the 5-20 bonds bearing 3½ per cent. interest dated September 1, 1886, for $308,703.69, and 400 similar bonds dated November 1, 1886, for $410,520. The balance of the demand was paid out of the sinking fund. The total amount of 3½ per cent. funding bonds sold to date is 1,350, on which premiums amounting to $31,762.19 have been realized. Of the $11,803,000 of 6 per cent. bonds outstanding January 1, 1885, $1,276,000 have been paid out of the sinking fund; $1,350,000 have been funded at 3½ per cent., and $9,177,000 still bear 6 per cent. Provision has been made for funding $928,000 H. & St. Joe R. R. bonds falling due February 28, 1887, and $649,000 Pacific R. R. bonds maturing March 10, 1887, by the issue of 1,577 bonds bearing 3½ per cent. dated March 1, 1887.

The interest on the entire State debt has been promptly paid, including the January, 1887, interest.

The school fund indebtedness consists in one certificate of $2,909,000 bearing 6 per cent. interest, payable annually, January 1st, and three certificates, aggregating $225,000 bearing 5 per cent. interest, payable semi-annually January 1st and July 1st.

The seminary fund consists of one 6 per cent. certificate of $122,000 interest payable annually, and one of $100,000 bearing 5 per cent. interest payable semi-annually. The agricultural college fund consists of three certificates aggregating $297,000 bearing 5 per cent. interest payable semi-annually.

It will be remembered that the act providing for refunding the public debt limits the bonds to 5-20 bonds. The last sale of bonds, on the 17th day of August, was remarkable for the high price realized; indeed it is without a parallel for State bonds redeemable so short a time as five years after issue.

It is my opinion, in which I am confirmed by many distinguished financiers, that had the bonds been irredeemable under ten years, they would have brought even a much higher price. I believe 10-20 bonds bearing 3 per cent. interest could be sold at par or above. As a large part of the State debt falls due in the next two years ($6,652,000) I call your particular attention to this matter; and would suggest that you so amend the law as that the Fund Commissioners may issue 5-20 or 10-20 bonds as to them may seem best.

OFFICERS OF THE EXECUTIVE DEPARTMENT

Of these five officers, three, the State Auditor, the State Treasurer and the Superintendent of Public Schools, make reports directly to your body.

A careful examination of these reports will satisfy you that not only are their offices conducted with ability and fidelity, but these reports also clearly show that the affairs of the State are in a most prosperous condition.

From personal observation, I am able to say that what is thus shown to be true of these three officers is equally true of the two, Secretary of State and Attorney-General, who do not make such written reports to your body.

Of the executive offices established by legislative enactment, and having in charge matters of very large interest to the people, and whose incumbents make report either to you or to me, I call your attention to the Railroad Commissioners and Register of Lands, which are filled by election, and to the Adjutant-General, the Commissioner of Labor Statistics and Inspection, and the Superintendent of Insurance, which are filled by appointment.

From an examination of their reports and a personal acquaintance with the conduct of these offices, I am sure that the gentlemen in them are doing their duty under the law. But three of these officers, the Railroad Commissioners, the Adjutant-General, and the Commissioner of Labor Statistics and Inspection, are working under very imperfect and incomplete laws. A good law is of no account unless worthy and competent officers are chosen to execute it. Equally true is it, that under our form of government, the most capable and energetic officer can do little unless he is furnished with a good and efficient law to execute. We have long felt the want of legislation to enable the Railroad Commissioners to accomplish what was intended in the establishment of the Board. I trust you gentlemen will do much toward meeting this want. For a specific statement of the most important changes needed, I refer you to their 10th and 11th annual reports.

The present Adjutant-General has, I think, accomplished all that was practicable toward increasing the efficiency of our State military under the present law. You will find a short and clear statement of needed improvements in that law in his current report.

The current report of the Commissioner of Labor Statistics and Inspection shows that he has faithfully exercised the limited authority his office gives in endeavors to accomplish the purpose sought in establishing the office;

and also sets forth clearly the defects of the present law and suggests remedies. I regard the work proper to this office as of great and rapidly increasing importance to our people, and trust that you will give it close attention and adopt such measures as will make it most efficient.

UNIVERSITY AND AGRICULTURAL COLLEGE

The University and Agricultural College being located at the same place, and conducted by the same faculty, it is convenient to discuss them together.

Not content to form my opinion at second hand, as you gentlemen are obliged to do, I recently visited Columbia and made a personal examination of these institutions. From what I saw and heard of both the teachers and pupils, I am sure that our people may well be proud of the head or highest department of our free school system. In our University and Agricultural College, as now wisely organized and associated, most excellent opportunity is given the young men and young women of our commonwealth to acquire the highest order of instruction and training in those studies and avocations which will fit them for useful citizens.

Still there are many things needed to complete the equipment of these two institutions. Things which the learning and scientific accomplishments of the faculty cannot supply, but which must be bought. The most noticeable of these needs are:

FOR THE UNIVERSITY

Elevator and fire apparatus	$4,300
Electric light plant, to pay balance due	2,761
Museum, to pay for specimens	4,400
Museum, to pay for cases	5,000
Campus, to pay for 5 acres added	3,100
Campus, fencing, levelling ground, etc	10,000
Heating scientific building with steam	1,995
Total	$31,556

FOR THE AGRICULTURAL COLLEGE

Sheds, tool house and hog barn	$1,000
Barns	5,000
Dairy, ice house, etc	2,000
Two cottage houses	1,200
To purchase sheep	500
To purchase swine	250
To purchase cattle	3,500
To purchase horses, carts, etc	2,000
Experiment work	2,000
Student labor	1,000
Horticultural building	1,300
Veterinarian's laboratory, etc	5,000
Total	$24,750

Requiring, in addition to the amount needed for the ordinary current expenses, the sum of $56,306.

I call your particular attention to these items, and hope you may deem it wise and best to make appropriations to cover them.

SCHOOL OF MINES AND METALLURGY

I also visited this school, and was very much pleased with it throughout. The appropriation made by the Thirty-third General Assembly for improvements has been wisely and economically expended. The management and faculty are doing a most excellent work and should be liberally sustained.

NORMAL SCHOOLS

These schools are considered a very important feature of our free school system, and so far as I have been able to learn, are performing the work contemplated in their organization in a very satisfactory manner. You will find a detailed account of them in their several reports and the report of the Superintendent of Public Schools.

LINCOLN INSTITUTE

In 1870 an act was passed to establish a Normal department in Lincoln Institute, and to appropriate for its support $5,000 per annum. This appropriation was made by every succeeding Legislature until 1879, when an additional appropriation of $5,000 was made for the purpose of liquidating the debt of the Institute. The then Governor of the State, the late John S. Phelps, seeing that this extra appropriation was unconstitutional, held the bill and suggested to the board of trustees that the Institute, together with all its property, be transferred to the State, in order that he might be able to sign the bill making the appropriation. The transfer was made, and Lincoln Institute became a State school.

Since then the Legislature has made liberal appropriations for its maintenance and improvement.

It is fortunate for the school that it has for its head a man who, while he makes use of every opportunity to advance the educational interests of his people, succeeds in doing it without stirring up bitterness of any kind between the races or political parties. The school is in a prosperous condition and gives every indication of so continuing, and I recommend that you make liberal provision for its support.

COMMON SCHOOLS

"A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the General Assembly shall establish and maintain free public schools for the gratuitous instruction of all persons in this State between the ages of six and twenty years." (Constitution of Missouri, article II, section 1.)

Such is the ground upon which stands the beautiful "Temple of Learning" that our people are building in their system of free education.

The common district schools constitute the foundation stones of the whole structure; and unless they are supplied in sufficient numbers and exactly adapted to the purpose for which they are intended, the building is marred and weakened, and the General Assembly fails of one of the most important duties imposed upon it by the organic law of our commonwealth.

I believe it may be truthfully said that ample provision has been made for furnishing them in sufficient number. But that proper caution has been observed that they shall be exactly adapted to the purpose intended, I am not so sure.

A stone may be too large as well as too small; it may be too much cumbered with merely decorative work as well as made too plain for its use. I am inclined to think that many of our workmen, teachers, are disposed to give too large a share of their time to swelling the apparent size of the stones they furnish this structure, by adding to the solid rock other material not called for in the specifications.

This, if found to be the case, should be stopped, and they be strictly limited to what was contemplated in the original design.

When we say "free public schools," we do not mean that they exist, like the air, without cost to any one.

The instruction in them is given without cost to the pupil; but the schools are maintained at the enormous cost of five millions of dollars a year.

This money is raised not by voluntary, but by forced contributions. It is a well settled principle of good government that no more money should be forced from a people in taxes, direct or indirect, than is necessary to accomplish the end sought. In this instance, it is the "diffusion of that knowledge and intelligence essential to the preservation of the rights and liberties of the people." It rests upon the General Assembly to determine what that includes, and then to fix both the limits of it with exactness.

I urge this for the safety of the schools, and hope you gentlemen will give careful attention to this duty, and will

take such action as will insure the greatest degree of usefulness and stability to our common schools.

You will find some well considered and valuable suggestions on this subject in the current report of the State Superintendent of Schools.

LUNATIC ASYLUMS

No other order of our public institutions appeals so directly and strongly to our sympathies and fostering care as those erected and maintained as asylums for the insane. Sympathetic humanity should dictate the extent of our provisions for their care; but in making such provision we should be guided by the same wise principles of economy and careful adaptation of means to the end, as should characterize all our other actions. A proper regard for these principles requires that when one of these asylums is begun it should be upon that plan of building or collection of buildings which furnishes the greatest amount of accommodation and service for the least amount of cost. Then that plan should be promptly pushed to completion, and when finished, a new building or set of buildings established. Of course, this new center of force, and consequent center of plan, may be chosen within a few yards of the other or hundreds of miles away, just as the circumstances surrounding the choice may determine. That we need additional asylum room cannot be questioned in face of the fact that there are now a large number of insane in the State outside of asylums.

Impressed with the notions just stated, I have visited each of our three asylums, and have conferred fully and freely with those in charge of them.

Those investigations lead me to the following conclusions:

At Fulton there is now needed extraordinary appropriations to cover these items:

Six octogon projections for lighting and ventilating halls	$18,000
Six detached closets and bath rooms	18,000
System of forced ventilation	3,400
Raising roof of halls	6,500
Extending short halls	44,000
Extension of main sewer . . .	2,000
Total	$91,900

With a proper and economical expenditure of that sum of money that institution will be in condition to care for 150 more patients with much better accommodations than it does those now in it; but they are now much too crowded. With these additions that institution would be completed, in my judgment.

With less than that, it is not as economical as it can be readily made. With more, there would have to be a duplication of everything, and that can be done as cheaply elsewhere—just where, it is not my province to say.

Similar remarks are equally applicable to the asylums at St. Joseph and Nevada.

The estimates are, at St. Joseph:

New boiler and coal house, five new furnaces and one laundry ..	$11,000
Change in system of water closets	3,500
Alteration in kitchen and store rooms .	4,000
Furnishing new building	6,000
New bakery and oven	1,500
Enlargement of chapel	2,000
New furniture for kitchen	1,000
For forced ventilation	5,000
Fire alarm and telephone system . .	1,000
Total	$35,000

At Nevada:

Three additional wings	$111,000
Steam heating and furnishing new wings	18,000
Laundry, bake-house and barn	12,500
Ice-house	1,800
Fencing farm, repairing houses, etc	2,500
Sidewalks, curbing, guttering and wells	7,500
Extending main sewer to creek	2,500
Horses, cattle and farming utensils	5,000
One hundred and twenty acres additional land	7,000
Total	$167,800

The gentlemen in charge of this institution have made a wise choice of location, and adopted a most admirable plan for the buildings. When completed as suggested above, it will comprise a solid section of excellent land, and will afford ample and unusually comfortable and healthful accommodations for about 900 patients, for an outlay of $367,800.

The gentlemen in charge of asylums 1 and 2, including both the boards of managers and the officers of the institutions, are executing the arduous and responsible duties resting upon them in a most exemplary manner. I hope you gentlemen will heartily sustain them in their good work.

SCHOOL FOR THE DEAF AND DUMB

This institution not only teaches that unfortunate portion of our youth who can neither hear nor talk many things which enable them to make their infirmity less burdensome to themselves, but it also teaches them useful occupations, which enable them, instead of becoming a burden and a charge on their friends or county, to become self-sustaining and independent citizens. The school is in good condition and doing excellent work. It needs appropriation for improvement to cover the following items:

Shop room	$3,700
Barn	3,500
Iron corridors and stairway	3,300
Power printing press and material	1,200
Painting building	1,500
Steam pipes	800
Twenty acres additional ground	1,000
Total	$15,000

I recommend the appropriation.

MISSOURI SCHOOL FOR THE BLIND

This school is also engaged in a necessary and valuable work for another of the unfortunate classes of our population. It asks for several thousand dollars less than the appropriation made two years ago for ordinary current expenses. It will of course be sustained with the same liberality that has characterized our people heretofore.

VISITING AND EXAMINING COMMITTEES

The work of these two committees will be laid before you gentlemen by the committees themselves.

They were appointed by me as early as the circumstances of their appointment would allow. I am sure you will find the information furnished by them is as thorough and as reliable as the time at their disposal would admit. I feel that in forming both committees I chose the right men, and the State has been well served by them.

PENITENTIARY

This institution should receive your very careful attention, both by reason of the large expenditures of money necessary to its maintenance, and because the problems involved in the successful and economical management and care of so many prisoners present very considerable difficulty.

Impressed with the importance of this institution, I have given close and critical attention to the conduct of its

affairs for the past two years, and am glad to say that in every particular it has been entirely satisfactory. The Thirty-third General Assembly appropriated $210,000 out of the general revenues for its maintenance and improvement. The Warden, by my request, and for the information of your body, has had printed the advance sheets of his report to the Board of Inspectors. A reference to that report will inform you in detail of the use made of such appropriation. I deem it proper to say that a careful personal examination of the prison has satisfied me that the Inspectors and Warden have expended the money at their command with economy and excellent judgment.

That the permanent improvements (buildings, walls and the like), the extensive, but necessary and valuable repairs, and the betterments of the institution generally are worth very much more to the State than they have cost, and that these improvements go far toward placing the institution in a condition to become self-sustaining. On this subject I call particular attention to the report alluded to, where you will find a detailed account of each item in the following table quoted therefrom. This table covers the whole of the two years, 1885 and 1886:

Cost of food consumed		$146,524 54
Average cost per day per capita	12 44 cents	
Cost of clothing in use and consumed		37,678 28
Average cost per day per capita	3 19 "	
Cost of fuel and lights		45,294 45
Average cost per day per capita	3 84 "	
Cost of ordinary repairs (estimated)		20,000 00
Average cost per day per capita	1 69 "	
Salaries of officers and employes		129,522 93
Average cost per day per capita	10 98 "	
Discharged convicts, hospital and other expenses		27,670 23
Average cost per day per capita	2 34 "	
Total daily average cost of each inmate	34 45 "	

Earnings from contract labor		$235,044.71
Earnings from sale of brick, stone, etc.		17,143.34
Daily average earning of each inmate	21 36 "	
Daily average cost of each inmate after deducting earnings	13 09 "	

From this table it appears that, after excluding the permanent improvements and extraordinary repairs, the cost of the institution exceeds the true or actual earnings by an average of 13 cents to the inmate.

The reason for this is that so large a number of the prisoners are not worked under contract, and the remedy seems to be simple, namely, put more of them under contract; and this I recommend. In order so to do, it will be necessary to build additional shoproom.

This the Inspectors and Warden recommend, and I am sure such recommendation is well considered, and trust you gentlemen will make the appropriations necessary to execute their recommendations as made.

PARDONS

I herewith submit a statement of the reprieves, commutations and pardons granted by me and the reasons therefor, in a separate paper.

COST IN CRIMINAL CASES

The costs in criminal cases should receive your early attention. They are rapidly becoming enormous, and really threaten to become burdensome. Although the appropriation for the years 1885 and 1886 was $400,000, it was exhausted in August, and there has since been incurred costs amounting to more than $100,000, which amount must be provided for in the deficiency bill.

It is estimated they will amount to $500,000 in the years 1887 and 1888. This should not be. Just how the growing dimensions of this draft upon the people's resources

can best be lessened, I do not know that I am prepared to suggest. However, one thing is perfectly clear to me; it is a matter demanding the most diligent and thoughtful attention by those with whom rests the remedy.

HIGH LICENSE

Prior to the enactment and enforcement of the law providing what is known as "high license" for dramshops, there were in this State 3,601 dramshops and other places where ardent spirits were sold to be used as a beverage, yielding a revenue of $547,320.30. There were on the 4th of July last 2,880 such dramshops, yielding a revenue of $1,842,208.26. These figures clearly indicate that the law referred to is accomplishing the good result that was anticipated, and, I think, prove the wisdom of it. There are imperfections in the present law which ought to be corrected.

I am of the opinion that the traffic in whisky is not sufficiently limited. That it ought to be restricted to those who have paid the "high license" of a dramshop keeper, and that druggists and merchants should not be allowed to sell it in any quantities whatever, except upon the prescription of a reputable physician for medicinal purposes.

What are known as "gallon houses," should be abolished. Every one who desires whisky, or other ardent spirits as a beverage, should be compelled to purchase it at those establishments which, under our high license law, are placed within competent police regulations. In my opinion, such provision would conduce more toward actual temperance than any other plan or means enforceable by civil law.

PUBLIC HEALTH

In this day of rapid transit, the germs of disease are carried from one place to another at such great distances, and without any notice, so easily and frequently that the individual or community can no longer protect himself or themselves from the sudden and unexpected inroad of

pestilence and epidemic by the ordinary precautions of life. Hence it is necessary that there be some one, whose public duty it shall be to take notice of these things and give timely warning of the danger, and instructions for the best means of averting it. Your predecessors have lodged this duty in the State Board of Health.

The Thirty-third General Assembly made no appropriation for the use of such board, and as a consequence the gentlemen who now constitute the board have served their State in this important labor, not only without recompense, but at their own cost. I deem it only their due to say that in spite of this ungenerous treatment by the State, they have given the business of their board their prompt and diligent attention, and should yet be paid for their past services.

It is not because they have done well and faithfully their duty, but it is because I think the people will need their services in the future, and should not ask them to be given without proper provision for meeting the necessary expenses, that I recommend a liberal appropriation for the future use of the board.

Their report contains some important suggestions as to needed legislation, to which I call your especial attention.

DISEASES OF DOMESTIC ANIMALS AND QUARANTINE

The health of our domestic animals is only second in importance to that of our citizens. All of them are subject to a variety of contagious or infectious diseases, which for the reasons just stated, are liable to be carried from one place to another at great distances without any kind of notice.

The facts call for some rapid and efficient means of checking the spread of these diseases, either from outside our State into this State, or from this State into another, or from one place to another within this State.

In these matters, as in all others, I think this State should make ample provision for the care and protection of

her own citizens and their property, and not depend upon either the federal government or other state governments for our safety. The last General Assembly passed a hastily considered bill on this subject, which makes some provision for preventing the spread of disease in our own State, but does not touch the matter of preventing the entrance of disease from abroad.

I call your particular attention to this matter and trust you will perfect an adequate and effective law on this subject.

HANNIBAL AND ST. JOE RAILROAD LITIGATION

The matters in litigation touching the Hannibal & St. Joe Railroad bonds are now pending in the Supreme Court of the United States. The case was recently argued before such court, but the decision has not yet reached me.

STATE MILITARY

The military law now on our statutes is utterly inadequate to the purposes intended in its enactment—the organization and maintenance of a well ordered citizen soldiery. I have already, in a different connection, stated that "I think this State should make ample provision for the care and protection of her own citizens and their property, and not depend upon either the federal government or other state governments for our safety." To this end such a military organization is essential. The two most glaring imperfections in the present law have been illustrated within the last two years. The imperfections alluded to are: First, absence of any provision for paying the soldiers when in the service of the State, or even to meet the expenses necessarily incurred in their movements when on duty; and second, absence of proper and efficient methods of enforcing discipline at all times when discipline is needed.

The inconvenience and injustice resulting from the first of these deficiencies in the law was made apparent when the military was called upon by me during the strike of March,

1885. The necessary and proper expense incurred in its movements, was paid by me out of an appropriation, subject to my order, for a similar purpose—but much too small for even that purpose—and the fair, reasonable and legitimate pay of the soldiers, amounting to $2,360.28, is yet unpaid.

These soldiers are worthy young men who were taken away from their usual avocations, and fairly earned the sum mentioned, which is only the wages allowed by our own statutes, and it should be paid to them. Besides being right in itself and a just debt, I am told that most of the men can ill afford the loss to them involved in the State's failure to pay this obligation. It goes without saying that if it is right to pay such a debt after a long delay, it is much better to make provision against incurring such debts in the future, by preparing to pay cash.

The existence of the second defect alluded to was developed in a trial in one of the circuit courts for Jackson county, the court holding that a court-martial ordered for the trial of an officer was without lawful authority because the statute upon which it rested was unconstitutional.

I would take it to be a great misfortune to the State for our military organization to go to pieces; but this result is inevitable unless our laws on the subject are thoroughly overhauled and much improved.

I trust you gentlemen will give this matter the consideration its importance demands.

BOARD OF AGRICULTURE AND FISH COMMISSION

These two boards have to do with our food supply. They both serve the State without emolument, and both are rendering excellent and important service. I do not understand that the object in their organization and their labors is to ascertain how and then instruct our farmers and other agriculturists how to merely make money by raising hogs or cattle or fish or corn or wheat or any of the infinite variety of the products of our land and waters, but that it is their business to first ascertain how and then instruct our

people how to economically increase the supply of all kinds of food, in order that our large and rapidly increasing population may have plenty to eat. This is a matter every one is interested in, and as these boards are doing good work in that direction I hope you will grant them sufficient money to meet all proper expenses incurred in their useful and gratuitous labors.

RAILROADS

That class of common carriers known as railroad companies has become so numerous and their services to the people so necessary, that we cannot dispense with them. Indeed, we cannot allow the operations of their trains to cease, either by the voluntary action of their managers or by the opposition offered by others, for even a few days, because it puts to such great inconvenience and loss the public, in whose interest and for whose benefit their peculiar organization and construction was authorized. Twice during the past two years have we experienced the inconvenience and loss arising from this source.

The first was in consequence of "the strike of March, 1885." During this strike the danger of loss of life and destruction of a great deal of valuable property appeared to me so imminent that I called upon the State military forces. Happily, the disturbances were quelled, and quiet and good order were restored without resort to actual force—without even taking the soldiers to the point of greatest disturbance. The other was during "the strike of March, 1886." It, too, was settled, after several weeks of virtual cessation of business, with the attendant inconvenience and loss to all parties concerned, without resort to force. I did not even call the State military to arms.

I did, however, issue a proclamation calling upon the railway company to resume traffic, and warning all persons against opposing any obstacle whatever in the way of such resumption. In that proclamation I stated, as clearly as the limits of such document permitted, my notions of the

relation of the railways to the public and the consequent obligations resting upon them.

The last State democratic convention, as you gentlemen will remember, deemed the railroad corporations a sufficiently important factor in our State politics to make especial mention of them in their platform, and enunciated what I think are sound principles that ought to obtain in any legislation upon this subject.

The foregoing sketch plainly proves—if such proof be necessary—that not only should this subject of railway corporations receive your careful and earnest attention because of their extensive operations, but also, and more especially, because there is evidently something radically wrong, from which wrong the people are liable to suffer great injury.

It is not right that when a few employes—either officers or laborers, or both—get to quarrelling among themselves, they shall put a stop to a public service until they settle their petty strifes, in which the public have no concern, and which quarrels are in no important particular different from the altercations arising between any other citizens of the State. They should be made to settle these strifes among themselves without involving the business arrangements of the people. That they should resort to practices which actually endanger the peace of the State and the safety of the lives and property of her citizens is not to be tolerated at all. The duty of devising and the authority to provide means of preventing these pernicious and dangerous practices rest with you gentlemen. I pledge the chief executive to vigorously execute all laws to that end.

I call your particular attention to the following sections of article 12 of our State Constitution:

Section 7, prohibiting corporations from engaging in "other business than that expressly authorized in its charter;" also, section 8, fixing the conditions under which corporations may issue stock or bonds, and prohibiting all fictitious increase of stock; also, and very especially,

section 14, which declares railways to be public highways, and the companies operating them common carriers; it also directs the General Assembly to pass laws to correct abuses and prevent unjust discrimination and extortion, and to fix maximum rates of charges and "enforce all such laws by adequate penalties;" also, section 17, which prohibits the consolidation of parallel or competing lines under one management; also, section 22, which prohibits the president and other officers of any railroad company being interested, directly or indirectly, in furnishing material or supplies to such company; also, section 24, which prohibits railroad and other transportation companies from granting free passes or tickets "to members of the General Assembly, or members of the Board of Equalization, or any State or county or municipal officer."

I also deem worthy of your careful consideration what the Railroad Commissioners say on page 9 of their eleventh annual report about a remedy for the defect of our present law of rates.

It is plainly and indisputably proper and right for the representatives of the people to provide the legislative enactments necessary or expedient to enforce and execute those laws and principles which the people themselves have enacted and declared in their Constitution.

JOHN S. MARMADUKE.

EXTRA SESSION MESSAGE

MAY 11, 1887

From the Journal of the Senate, Extra Session, pp. 5-6

CITY OF JEFFERSON, May 11, 1887.

Gentlemen of the General Assembly:

A little less than twelve years ago, the people of this State, by a popular vote, adopted a written Constitution in which are stated in strong and clear language those principles which should guide and control the General Assembly in its enactment of laws affecting railroads as public highways and railroad companies as common carriers.

The provisions of that instrument not only determine some things that the General Assembly should not do in this regard, but they as clearly, and with more emphasis, declare some things it should do.

There is no reason to believe that the people have ever been disposed to revoke the demands therein expressed; on the contrary, it is well known that they to-day are more unanimous and more earnest in such demands than they were twelve years ago.

No good could come from a discussion by me of why such demands have not heretofore been met by the representatives of the people. It is sufficient for us to know that the condition of affairs which led to such demands still exists; that the people have the right to make such demands, and that, as a matter of fact, they do make them.

What these demands are, which I think most urgently call for action by you, I have recently stated to you gentlemen in my biennial message.

That the problems involved in the inquiry, "how best to meet these demands?" are difficult of solution is good reason why the very best powers you have should be engaged

in the work; but it is no reason why the solution should be longer delayed.

That the properties involved or affected are of very great magnitude and of large value to our people, is good reason why the greatest caution should be observed that no injury is done to them; but it is also a better reason why such laws should be enacted as will make these properties of the greatest possible value to the people, which they are not now, and will not become under the present laws.

Just six months ago, the people, your constituents, said by their votes that they believed you were willing and able to meet their demands. By calling you thus together to consider these questions, I have in the most conclusive manner expressed my own opinion of the importance of the questions and my faith in your ability to enact the proper legislation.

The opportunity for enacting such legislation is thus placed before you; the duty and the labor is yours and yours alone.

JOHN S. MARMADUKE.

VETO MESSAGES

TO THE SENATE

MARCH 5, 1885

From the Journal of the Senate, pp. 476-479

CITY OF JEFFERSON, March 5, 1885.

Sir—I have the honor to return to the Senate, with my objections thereto, a bill of the following title: "An act to grant aid to the counties of Mississippi, New Madrid, Pemiscot and Dunklin, on account of a great public calamity."

The grounds of my objections to the bill I will state as briefly as possible.

If it should become a law it would directly violate several plainly expressed and emphatic sections and provisions of the State Constitution, as for instance:

Section 53, article 4, which forbids the General Assembly to pass any local or special law "exempting property from taxation;" section 3 article X., which provides that "taxes shall * * be uniform upon the same class of subjects within the territorial limits of the authority levying the tax;" section 4, article X., which declares "all property subject to taxation shall be taxed in proportion to its value;" section 7, article X., "all laws exempting property from taxation, etc., shall be void;" section 9, article X., "no county, etc., nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for State purpose."

These objections are by no means all that may with convincing force be urged against the proposed enactment.

The measure is also objectionable upon the ground that it is both a local and a special law. It names only four of the 115 counties in the State, and undertakes to exempt the

owners of property in those counties from the payment of State taxes which will be levied and collected in every other county and from every other property-holder in the State. In short, in 111 counties, one rule of action in reference to the taxes for State purposes is to prevail, and in the four counties named this rule, and, in fact all the revenue laws of this State, so far as they relate to the assessment, levy and collection of State taxes are to be suspended and the latter for the time named repealed.

A quotation of the definitions of special laws given by standard text-writers and eminent jurists will very clearly show the bill before me to possess the features which will bring it within the definitions referred to.

Thus, in Potter's Dwarris, it is said: "A public (or general) act is a universal rule that regards a whole community. Private (or special) acts are those which concern only a particular species, thing or person, as acts relating to any particular place, or to divers particular towns, *or to one or divers particular counties.* * * A general or public act, then, regards the whole community; special or private acts relate only to particular persons or private concerns. (Pott. Dwar., pp. 52, 53.)

Judge Cooley says: "A statute would not be general * * which should select particular individuals from a class or locality and submit them to peculiar rules, or impose upon them special obligations or burdens from which others in the same locality or class are exempt. The legislature may suspend the operation of general laws of the State; *but when it does so the suspension must be general and cannot be made for individual cases or particular localities.* * * Those who make laws 'are to govern by promulgated, established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favorite at court and the countryman at plough;' this is a maxim in constitutional law, and by it we may test the authority and binding force of legislative enactments." (Cooley's Const. Lim., pp. 391, 392.) And in a note to the foregoing, he quotes the language of the

Supreme Court of Maine, thus: "On principle it can never be within the bounds of legitimate legislation to enact a special law or pass a resolve dispensing with the general law in a particular case, and granting a privilege and indulgence to one man by way of exemption from the operation and effect of such general law, leaving all other persons under its operation. Such a law is neither just nor reasonable in its consequences. It is our boast that we live under a government of laws and not of men, but this can hardly be deemed a blessing unless those laws have for their immovable basis the great principles of *constitutional equality.*"

The Supreme Court of this State has several times considered this question. In State *ex rel.* Donn vs. Wilcox, it was said: "Special statutes relate to certain individual classes or particular localities." (45 Mo., 458-465.) In the late case of State *ex rel.* Harris vs. Herrmann (75 Mo., 340, *et seq.*) the question was most carefully and thoroughly considered. The definitions given by Dwarris and Cooley were approvingly quoted, and the rulings in cases in other States holding views in harmony with those here expressed, were cited and followed. Those cases are fully referred to and so thoroughly discussed by Chief Justice Sherwood (with whom all the judges concurred), that little remains to be said on the subject.

If as has I think been shown, the proposed legislative measure is both local and special, then it falls under the denunciation of section 54 of article 4 of the Constitution, which declares that "No local or special law shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed, and the notice shall be recited in the act

according to its tenor." As no such recital is made or contained in the bill now before me, I must reasonably infer that no such notice was published; the publication would avail nothing, unless recited at length or "according to its tenor" in the act itself. This departure from the observance of a well-defined rule of legislative action would be sufficient to affix to the act the stamp and seal of unconstitutionality.

But this act is unconstitutional for the additional reason that even should it be conceded not to be local or special in the usual sense of those words, of which there would seem to be no shadow of doubt, still it would be obnoxious to the last subdivision of section 53 of article 4, which forbids the General Assembly indirectly to enact a special or local law by the *partial repeal of a general law.*

This law, if ever it should become operative, could only become so by "*the partial repeal*" of the general law of taxation, which would thereafter continue to prevail in all the counties in the State, except the four named in the act.

Judging from the concluding words of section 1 of the act, that the General Assembly relied on section 46 of article 4 of the Constitution as a basis for the proposed legislation, I have carefully considered that section, and while not doubting that in appropriate circumstances the legislature may "grant aid in a case of public calamity," yet I feel quite sure that such aid must be granted in a manner not inconsistent with other constitutional provisions which I have discussed, and that such aid can never be afforded by exempting property from taxation by means of a local or special law, nor by a law which would destroy the uniformity and equality of taxation throughout the State, by releasing during the year 1885, four counties and the inhabitants thereof, from paying their "proportionate share of taxes to be levied for State purposes." § 9, art. 10.

I deem it proper to add, further, that if my reasoning on this subject is found to be correct, and the bill under consideration unconstitutional, then should that bill become a law by passing through legal forms, its operation will

embarrass and endanger those whose duties now consist in the assessment and levy of taxes in those counties named in the act, for the law being constitutionally invalid will afford no protection to that class of officers, should they neglect their ordinary duties, as provided by the general revenue law.

In conclusion, I have submitted these views to my legal adviser, Attorney-General B. G. Boone, and he permits me to say that they meet with his entire concurrence.

For these reasons I am constrained to withhold my approval from the bill.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of the Senate.

VETO RECORDED WITH THE SECRETARY OF STATE

MARCH 30, 1885

From the Journal of the Senate, p. 860

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 30, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I return to you a bill without my approval, entitled "An act authorizing the county court of Livingston county to levy a tax for road purposes of (15) fifteen cents on each one hundred dollars of assessed valuation of taxable property in said county," which originated in the Senate, and was presented to me within the ten days prior to the adjournment of the General Assembly.

Section eleven of article ten of the Constitution limits the rate of taxation by counties. Laws now in force regulate the levies for road purposes. The object in this enactment is to confer upon the county court of Livingston county the power to levy taxes in excess of the constitutional limitation.

However necessary it may be to have more money for the improvement of the roads, the fundamental law must not be set aside. It is probably unfortunate that a larger road fund can not be legally raised by taxation. Good roads are of almost incalculable benefit to a community. Their improvement may well engage to a far greater extent than it has yet done, the attention of progressive people everywhere in our State. But whilst I am in sympathy with its framer and promoters in the object to be accomplished, I am restrained by a sense of duty from approving the bill. Believing it unconstitutional in authorizing an excessive levy, and also because its subject matter is within the scope of the local or special legislation prohibited by the Constitution (art. IV, sec. 53), I have no choice. It is much safer to depend for additional funds upon the public spirit of the community than to exact under the forms of law that which we are forbidden thus to take.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 10, 1885

From the Journal of the Senate, p. 870

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 10, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you a bill which originated in the House of Representatives, entitled "An act to amend an act entitled 'An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for the City of Kansas,' approved March 27, 1874," which was presented to me within the ten days next preceding the adjournment of the General Assembly, without my approval.

To the principal purposes of this bill I have no objection. But it being plainly a local law—applying only to the City of Kansas by name—it comes within the provisions of section 54, article IV of the Constitution requiring notice of intention to apply therefor to be published in the locality where the matter or thing to be affected may be situated, and the notice to be recited in the act according to its tenor.

No such recital is in the bill.

It also appears to fall within the prohibitions: "The General Assembly shall not pass any local or special law, * * * regulating the affairs of counties, cities, townships, wards or school districts, * * * creating offices or prescribing the powers and duties of officers in counties, cities, townships, election or school districts." (Constitution, art. IV, § 53.) These constitutional provisions render it my duty to withhold my approval.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 10, 1885

From the Journal of the Senate, p. 871

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 10, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you a bill, entitled "An act to repeal section 6840, article 6, chapter 145, Revised Statutes of Missouri, and to enact a new section in lieu thereof," which originated in the House of Representatives, and was presented to me within the ten days next preceding the adjournment of the General Assembly, with my objections thereto.

After carefully considering this act, and comparing it with the section it is intended to replace, I am clearly of

the opinion that the law as it now stands, will produce a much larger revenue, and with less vexation and hardship to the tax-payer than might occur under the bill before me.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 10, 1885

From the Journal of the Senate, pp. 871-872

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 10, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you a bill, entitled "An act to facilitate the construction of railroads in the State of Missouri," which originated in the House of Representatives, and was presented to me within the ten days next preceding the adjournment of the General Assembly, with my objections.

There is no good reason why any five men, who want a railroad, should seek the intervention of the county court. Our Statutes already provide that they may survey their road, may enter upon any one's land to do so, may locate and build it, may take all the ground necessary, and prescribe how all damages shall be settled. These Statutes are full and efficient, and are not repealed in this bill, and there is no apparent reason for employing the county court to do what experts can do much better and at much less expenditure of time and money. The bill appears to me to be in conflict with other and better Statutes, and if put in practice, rights acquired under it would be disputed, resulting in needless litigation.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 10, 1885

From the Journal of the Senate, p. 872

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 10, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I return to you a bill, which originated in the House of Representatives, entitled "An act prohibiting herdmen of cattle from driving any cattle from one county to another, and grazing or herding the same on lands not his own or under his control, and affixing a penalty therefor, and providing for the enforcement thereof," which was presented to me within the ten days next preceding the adjournment of the General Assembly, without my approval.

This bill would create a new offense, an essential element of which would be the driving of cattle from one county into another, and singles out herdsmen of cattle as the class against which alone it is directed. On this subject Judge Cooley (const. limit., p. 393) says: "The doubt might arise whether a regulation made for any one class of citizens, entirely arbitrary in its character, and restricting their rights, privileges, or legal capacities in a manner before unknown to the law, could be sustained, notwithstanding its generality. Distinctions in these respects must rest upon some reason upon which they can be defended * * * and those who should claim a right to do so ought to be able to show a specific authority therefor, instead of calling upon others to show how and where the authority is negatived."

The character of the bill is frankly developed in its title. There does not seem to be any good reason why cattle may be driven, grazed or herded in any one county, but must not be driven over into an adjoining county, where

precisely the same laws govern, and there grazed or herded with like freedom.

I regard the measure as making an invidious distinction between the citizens of different, it may be adjoining, counties of this State and being of doubtful constitutionality, I withhold my approval.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 17, 1885

From the Journal of the Senate, p. 873

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 17, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you a bill entitled "An act to repeal section 1172 of article 4 of chapter 23 of the Revised Statutes of the State of Missouri, entitled 'Of circuit courts;' and also to repeal section one of an act entitled 'An act to amend section 1172 of article 4 of the Revised Statutes of Missouri, entitled 'Of circuit courts,' approved March 31, 1883, and to enact a new section in lieu thereof," which originated in the House of Representatives and was presented to me within the ten days next preceding the adjournment of the General Assembly, without my approval. The bill is signed only by the Speaker *pro tempore* of the House of Representatives, and as neither the bill nor the Journals of the two Houses show that the provisions of section 37, article IV. of the Constitution were complied with, I withhold my approval.

Very respectfully,

JOHN S. MARMADUKE.

TO THE SENATE

MARCH 18, 1887

From the Journal of the Senate, pp. 681-682

CITY OF JEFFERSON, March 18, 1887.

Sir—I have the honor to return to the Senate, without my approval, bill No. 89, of the following title: "An act to amend section 7095, article 1, chapter 150, Revised Statutes of 1879, entitled 'Of schools.' "

I am led to this action by the following considerations: It is a well settled and universally recognized fact that no legislature can control the acts of a subsequent legislature. "No moneys shall ever be paid out of the treasury of this State, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made, or a warrant shall have issued therefor within two years after the passage of such appropriation act; and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such sum or object. A regular statement and account of the receipts and expenditures of all public money shall be published from time to time." (Section 19, article 10, Constitution of Missouri. Whence it appears that even did this bill make an appropriation of 33 1/3 per cent. of the State revenue to the support of the public schools, it could be operative for only two years. But this bill does not make such appropriation, and does not and cannot in any manner affect the amount of money which this or subsequent legislatures may appropriate for such purpose.

The Statute sought to be amended, as it now is, completes a mandate of the Constitution (from which it is an almost literal copy) and is not open to objection.

I take it to always be objectionable to make a change in our Statutes, unless they are improved as well as changed.

Believing this bill to be subject to such objection, I withhold my approval.

However, as the enactment of this amendment would be an expression of the opinion that the present and succeeding General Assemblies should appropriate one-third instead of one-fourth of the revenue of the State for the support of public schools, I deem it proper to offer a few suggestions upon that point. I have nothing to say now about what future legislatures should do in this regard. I presume they will be better prepared to pass upon that subject with the facts before them as they will then obtain.

In view of the present estimates of receipts and expenditures for the next two years, I think if the present General Assembly make such appropriation, it is very likely the treasury would not be always in a condition to meet the lawful demands upon it. The bad effect of such a contingency needs no discussion. The risk of such a misfortune ought not to be incurred unless necessary and unavoidable. Such risk is altogether unnecessary in this instance. The State apportionment is a small portion of the cost of our public schools. They depend almost entirely for their support upon the communities in which they are located, and I am very sure that reliance is safe and certain. Our people everywhere believe—and no one more heartily than I—in providing by public taxation the opportunity for all the children of our commonwealth to receive good training in the elementary branches of an education. The people love our public schools. They are able and willing to care for and support them. They are in every respect worthy the great trust thus committed to them, and with them I am willing to leave it.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

VETO RECORDED WITH THE SECRETARY OF STATE

MARCH 26, 1887

From the Journal of the Senate, pp. 754-757

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 26, 1887.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to transmit to you a bill which originated in the Senate, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri," which was presented to me within the ten days next preceding the adjournment of the General Assembly, without my approval.

The ability of the State to pay her debts—her bonds—depends upon her natural and acquired resources. These are ample. The guarantee that she will pay principal and interest without vexation or delay to her creditors, is found in the excellent provisions of her Constitution and statutes on this subject, and the hitherto prompt and faithful execution of these laws by those entrusted with the duty.

Her credit depends upon the opinion financiers and monied men entertain touching these two points. That this opinion is now very favorable to our State in both particulars, is conclusively shown by the recent sale of bonds. That it is of the utmost importance to our State that this good opinion continue, needs no argument. If any action of questionable constitutionality of doubtful propriety be taken by the General Assembly touching the management of our State bonded debt, it is sure to disturb this opinion and lower the State's credit. Hence it follows that no law affecting this matter should be enacted that is not absolutely and plainly free from such doubts. The one

proposed in the bill under consideration is, I think, clearly open to objection both as of uncertain constitutionality and of doubtful propriety.

Section 2 provides "That the State Auditor shall certify to the State Board of Equalization, at the biennial meeting thereof, the amount of money required to pay the interest on the State indebtedness, and two hundred and fifty thousand dollars of the principal thereof each year for the two years next following such meeting, and after the completion of the equalization of the assessments the said board shall determine the rate of taxation required thereon each year for the two years next following said meeting to provide said moneys. The said board shall certify to the State Auditor the rate so determined, and he shall immediately certify the same to the county clerk of each county and to the president of the board of assessors of the city of St. Louis, and they shall extend the same upon the tax books at the same time and in the same manner as other State taxes."

Whence, it appears that this bill entirely changes the manner in determining what rate of taxation is needed for the State interest and sinking funds, and places the determination of that fact in the control of an entirely different body of men and entirely out of the hands of the General Assembly.

I doubt the constitutionality of such a delegation of authority with reference to taxation for State purposes (see section 1, article 10 of Constitution). But aside from the constitutional difficulty, no sufficient reason suggests itself for this change in the manner of fixing this the first and probably the most important step in providing for the prompt payment of the annual interest and $250,000 of the principal: namely, a sufficient rate of taxation for those purposes to insure enough money shall be collected. The Board of Equalization meets no oftener than the General Assembly, has no information before it that is not equally available to the General Assembly and does not meet at so good a season of the year for this purpose. The last

fact is shown in the next section of the bill, which provides that because the said board does not meet until 1888, the rate for 1887 is fixed in the bill.

Section 5 provides for the selection of a fiscal agent of the State in substantially the same manner that such agent is now chosen; but places no additional safeguards about the money put in the custody of such agent. The 6th, 7th and part of the 8th sections read as follows:

Section 6. That fifteen days prior to the maturity of any maturing or called bonds, or any interest payable at such fiscal agency, the State Auditor shall certify to the State Treasurer the amount thereof and the date of maturity, and the State Treasurer shall immediately transfer to such fiscal agency the amount of money so certified by the Auditor, charging said fiscal agency therewith.

Section 7. That it shall be the duty of said fiscal agency to receive such moneys and place it on deposit to the credit of the State Treasurer, immediately receipting him therefor. With moneys so placed on deposit it shall pay all interest due, and all matured or called bonds of the State whenever presented, and all bonds and coupons so paid, it shall cancel by stamping payment and the date of payment thereon. As often as at least once in each month, the said fiscal agency shall transmit to the State Auditor all bonds and coupons so paid and canceled, together with a detailed invoice thereof.

Section 8. That whenever the State Auditor shall receive an invoice of bonds or coupons from said fiscal agency, he shall carefully examine the same and certify the correctness of the invoice thereof. When he shall have found the invoice true and correct, or shall have corrected the same, he shall file it as a voucher in his office, and draw his warrant on the State Treasurer, who thereupon shall credit the fiscal agency with the amount thereof.

Such are the provisions of this bill for the payments by the State Treasurer of the interest and the matured or called bonds; and in my opinion they are plainly in violation of section 15, article 10 of the Constitution, which

reads: "All moneys now, or at any time hereafter, in the State treasury belonging to the State, shall, immediately on receipt thereof, be deposited by the Treasurer to the credit of the State for the benefit of the funds to which they respectively belong, in such bank or banks as he may, from time to time, with the approval of the Governor and Attorney-General, select, the said bank or banks giving security satisfactory to the Governor and Attorney-General for the safekeeping and payment of such deposits, when demanded by the State Treasurer on his checks—such bank to pay a bonus for the use of such deposits, not less than the bonus paid by other banks for similar deposits; and the same, together with such interest and profits as may accrue thereon, shall be disbursed by said Treasurer for the purposes of the State, according to law, *upon warrants drawn by the State Auditor, and not otherwise.*" Notice that the bank referred to in the foregoing section of the Constitution is that one which gives security for the safekeeping of the money and pays interest on such money; and is not the fiscal agency referred to in the bill—which gives no security and is paid for its services. A "transfer" from such bank (at present the Bank of Commerce of St. Louis) to the fiscal agency (at present the Bank of Commerce of New York) such as is provided for in section 6 of this bill, would be a disbursement of the State's moneys such as can only be done "upon warrants drawn by the State Auditor, and not otherwise."

By sections 7 and 8 no provision is made for the drawing of such warrants by the Auditor until after the money has been paid by the fiscal agent (to whom it has been sent without a warrant) to the owner of the bond or coupon.

The provisions of this bill just discussed are an essential feature of it. Without them the bill would be inoperative. They being unconstitutional, the bill would fail of its purpose. The first part of section 9 reads: "That in case it shall occur in any year that any bonds which the State has the right to call in, can be refunded at lower rates of interest, the State Auditor shall cause to be prepared funding bonds

of the State sufficient in amount to meet such bonds subject to call."

And section 10 reads: "That whenever any bonds which the State has the right to call in can be refunded at less rates of interest than that which they bear, the State Treasurer shall call in such bonds by public advertisement for thirty days," etc.

And Sections 11, 12 and 13 provide the process of refunding such called bonds.

These provisions with reference to renewal of these called bonds at a lower rate of interest are clearly in violation of section 44, article 4 of the Constitution, which reads: "The General Assembly shall have no power to contract or authorize the contracting of any debt or liability on behalf of this State, or to issue bonds or other evidences of indebtedness thereof, except in the following cases: First, in renewal of existing bonds when they cannot be paid at maturity out of the sinking fund or other resources."

The second and third cases both provide for an "unforeseen emergency." Section 13 of the bill provides that all the proceeds of any sale of bonds for the purpose of paying off matured or called bonds shall be paid into the treasury and the Treasurer charged therewith by the Auditor. Between the present time and December 31st, 1888, such proceeds under this bill would amount to $4,575,000. Under section 19, article 10 of Constitution, after money is once in the State treasury it can only be paid out "in pursuance of an appropriation by law."

The appropriation for the use of the sinking fund for the years 1887 and 1888 is only $2,500,000; whence it appears that under this bill $2,000,000 would have to be paid out of the treasury without an appropriation, or the State be a defaulter to that extent before the end of the year 1888.

Entertaining these opinions of both the validity and utility of the bill, I cannot consent to approve it.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

MARCH 30, 1887

From the Journal of the Senate, pp. 761-763

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 30, 1887.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you, without my approval, bill No. 87, which originated in the Senate, entitled "An act entitled an act to establish an appellate court, to be known as the Springfield Court of Appeals, the appointment and election of their judges and their tenure of office, and providing for the appointment of officers and attendants of said court and their compensation," which was presented to me within the ten days next preceding the adjournment of the General Assembly.

The effect of this bill is to establish a third court of appeals, at a cost, to the whole people, of from fifteen to twenty thousand dollars a year, exclusive of building and law library; and introduces an additional element of uncertainty as to the judicial interpretation of our laws, which may lead to unfortunate results.

This is a very important and somewhat expensive matter, and we should carefully consider the wisdom, prudence and necessity of the action before taking it. This I have attempted to do. In this endeavor, I have been led to the inquiry, why was the organization of these courts of appeal authorized? The answer is, to relieve the overcrowded condition of the docket of the State court of last resort, and thus afford to the litigants of our State speedy, economical and final determination of matters in controversy. These are the purposes, and the only purposes, in their creation.

These courts were authorized by the people with great reluctance, and only because a great necessity was upon us

for some kind of permanent relief to the Supreme Court. They should be multiplied only to that extent absolutely necessary to execute the purpose of their creation. Unless a further necessity of such nature obtains, and the organization of this court will materially assist in meeting such necessity, it appears to me perfectly plain that this court should not be established.

The Supreme Court is still far behind its docket, to the great detriment of the people, and a measure that would afford it proper relief would meet with my hearty approval. But does this court afford, or tend to afford, such relief? It certainly does not.

It would have jurisdiction in those cases only which now go to the courts of appeal at St. Louis and Kansas City. It would lessen the work of those two courts, and of them alone. Is this relief needed?

The following facts answer that inquiry with convincing force: The Court of Appeals at Kansas City was organized and began work two years ago. Here is its history: "There were sent to this court on the first general order of transfer, 550 cases. Since that time there have been sent to this court from the Supreme Court 50 cases, making an aggregate of 600 cases received from that court. The total number of cases appealed to this court, to the 22d January, 1887, is 360, an average per year of 180. At the March term, 1885, 225 cases were submitted to the court. At the October term, 1885, 310 cases. At the March term, 1886, 210 cases. At the October term, 1886, 150 cases; a total of 895 cases; to which must be added 20 cases which have been considered and disposed of upon motions to affirm judgments, which makes the aggregate number disposed of during the years 1885 and '86, 915, or an average of 457½ for each year. The court is up with its docket, and has but 135 cases for hearing at the March term, 1887. Of the ten counties proposed to be taken from this district, cases have been received from them as follows, within the two years past: Jasper, 23, Polk 2, Dallas 3, Cedar 1,

Hickory 2, Barton 8, Dade 0, Vernon 8, Camden 0, Maries 1; total, 48. Average per year, 24."

The showing from the docket of the St. Louis Court of Appeals is: "The following is a statement of the number of cases to each term coming from the counties proposed to be taken into the Springfield district:

To the March term, 1885	3
To the October term, 1885	35
To the March term, 1886	15
To the October term, 1886	30
To the March term, 1887	18
Total for five years	101

For the past two years the St. Louis Court of Appeals has called its entire docket at each term, and delivered opinions in all cases submitted."

From these facts it is beyond dispute that no delay to the litigant is had in these two courts, and that they do not need relief at present. Should they ever, the General Assembly can then promptly provide it. This bill neither affords any relief, where it is needed, nor in any wise expedites the final adjudication of cases appealed from the circuit or criminal courts. Neither does it materially lessen the cost of such litigation to the client, as only attorneys attend these appellate courts.

In view of the foregoing facts, I cannot believe that the best interests of the whole people will be subserved by this bill becoming a law, and hence decline to sign it.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 13, 1887

From the Journal of the Senate, p. 771

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 13, 1887.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you, without my approval, bill No. 151, which originated in the House of Representatives, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled 'Of benevolent, religious, scientific, educational and miscellaneous associations,' as amended by an act approved February 8, 1881," and which was presented to me within the ten days next preceding the adjournment of the General Assembly.

The amendment contained in this bill consists in striking out of section 974 of the Revised Statutes, the word "incidentally." If the object and effect of this is to enable life insurance companies to organize and do business on the assessment plan, under the Statute pertaining to benevolent associations, without being subject to any supervision by the superintendent of insurance, it is wrong in itself, and is opposed to the object and effect of House bill No. 385, passed by the present General Assembly and already approved by me.

The bill just referred to, House bill No. 385, makes detailed and liberal provisions for organization of life insurance companies on the assessment plan, and imposes only such conditions as appear to be necessary for protection against fraud.

The Statutes as they now are, grant as many liberties in this direction to benevolent associations as are needed and safe.

This amendment would, I think, open the way to fraudulent abuse of the privileges granted in the section it amends.

In view of these facts, I withhold my approval.

Very respectfully,

JOHN S. MARMADUKE.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 13, 1887

From the Journal of the Senate, pp. 771-772

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 13, 1887.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you, without my approval, bill No. 335, which originated in the Senate, entitled "An act amending and in revision of all acts creating a board of police commissioners and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881," and which was presented to me within the ten days next preceding the adjournment of the General Assembly. The reason for withholding my approval from this bill are best given in the following correspondence:

Hon. B. G. Boone, Attorney-General:

Sir—I send you herewith a correct copy of Senate bill No. 335, repealing the acts heretofore passed relating to the police force of Kansas City, and enacting a new law. Also find enclosed the briefs of the author of the bill, Hon. A. M. Allen.

By reference to journal of the Senate for the session of 1885, at page 870, you will see that I vetoed a bill similar to this two years ago. I do not object to the provisions of the bill, but fail to see how it can escape the constitutional

objections stated in the veto referred to. And as the repealing clause or section is clearly within the province of the General Assembly, I fear that my approval of this bill would leave the city without any police regulations, or the power to make any by ordinance.

I desire and request that you carefully examine the bill, with the brief of Senator Allen and my veto, and give me your written opinion on the constitutional questions involved, with as little delay as practicable.

Very truly yours,

JOHN S. MARMADUKE.

To His Excellency, JOHN S. MARMADUKE, *Governor of the State of Missouri:*

Dear Sir—I have the honor to acknowledge the receipt of your communication of the 4th inst., in which you request my official opinion as to the constitutionality of Senate bill No. 335, passed by the Thirty-fourth General Assembly, entitled "An act amending and in revision of all acts creating a board of police commissioners and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendment thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881."

The provisions and purposes of this bill plainly appear to apply specially and exclusively to the police government of the City of Kansas.

Section 53, article 4 of the State Constitution provides: The General Assembly shall not pass any local or special law * * * "Regulating the affairs of counties, *cities*, townships, wards or school districts. Nor * * * * incorporating *cities*, towns or villages, or *changing their charters*. Nor * * * * creating offices or prescribing the powers and duties of officers in counties, *cities*, townships, election or school districts."

And section 54, article 4 of the Constitution, provides: "No local or special law shall be passed unless notice of the

intention to apply therefor shall have been published in the locality where the matter or thing to be effected may be situated. Which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law, * * * and the notice shall be recited in the act according to its tenor.

It seems to me that this bill is both local and special, and clearly falls within the several restrictions contained in the above quoted provisions of the Constitution. I may here state that I have carefully examined and compared the authorities and adjudicated cases furnished in the brief of the able and experienced legislator who is the author of this bill, and I am not unmindful of the well recognized rule, that before a law is declared unconstitutional its opposition and repugnancy to the Constitution should be clear, plain and unmistakable. If, however, I am correct in the conclusion that this bill is local and special, or either, the courts would in my opinion declare it invalid as being in conflict with constitutional provisions herein referred to.

I have the honor to be,

Very respectfully,

Your obedient servant,

B. G. BOONE, Attorney-General.

Very respectfully,

JOHN S. MARMADUKE.

SPECIAL MESSAGES

TO THE SENATE

JANUARY 12, 1885

From the Journal of Executive Business, p. 243

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 12, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. James L. Blair to the office of Police Commissioner for the City of St. Louis, for a term ending the first day of January 1887, to succeed Mr. D. W. Caruth, resigned, and Mr. Michael Callahan, to the office of Police Commissioner for the City of St. Louis for a term ending the first day of January, 1887, to succeed Dr. F. L. Lutz resigned, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 12, 1885

From the Journal of Executive Business, pp. 243-244

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 12, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. Frank Garrison to the office of Police Commissioner for the City of St. Louis, for a term expiring the first of January 1889, to succeed Mr. T. J. Woodward, and Gen. O. P. Gooding to the office of Police Commissioner for

the City of St. Louis, for a term ending the first day of January 1889, to succeed himself, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 13, 1885

From the Journal of Executive Business, p. 244

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 13, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. Alfred Carr, of St. Louis County, to the office of Superintendent of the Insurance Department, for a term of four years commencing the first day of March, 1885.

And Major Oscar Kochtitzky, of New Madrid County, to the office of Commissioner of Labor Statistics and Inspection, for a term of two years commencing the first Wednesday in February, 1885, in which appointments the concurrence of the Senate is respectfully requested.

Very Respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of the Senate.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

JANUARY 16, 1885

From the Journal of the Senate, pp. 123-124

Senators and Representatives:

Section 9 of Article V of the constitution requires the Governor of this State to give to the General Assembly information relative to the state of the government, and to recommend to its consideration such measures as he shall deem necessary and expedient.

As indicated in my inaugural address to you, I am of the opinion that I can best comply with such constitutional requirements by giving you, from time to time, such information as I may possess, and my views concerning special subjects upon which legislation is, in my opinion, required.

THE SUPREME COURT COMMISSION

The Supreme Court has been so burdened with business for many years that measures for its relief have engaged, at different times, the best thought of the State.

Almost every means known to judicial procedure has been discussed. Under the constitution of this State, prior to the adoption of the late constitutional amendment, grave doubts were entertained whether adequate and permanent relief could be given by legislation.

By an act approved March 22d, 1883, the Supreme Court were authorized to appoint, *for a period of two years*, three commissioners to aid in disposing of cases pending in said court. This measure brought some relief, and by the aid of the Commission the Supreme Court has made considerable progress in the disposition of the business pending before it.

The court is yet greatly behind, there being now pending something over 1,100 cases in addition to the present call docket.

The term for which the Commission was appointed will expire in March, 1885, probably before the cases upon the present call docket can be disposed of. Without legislation, the Supreme Court can not continue the service of this Commission.

By the adoption of the constitutional amendment, which establishes the Kansas City Court of Appeals, it is thought the judicial department of State will be materially strengthened. This Court of Appeals, when organized and enabled by proper legislation to enter upon its work, doubtless will prove a great relief to our judicial system. But, in my opinion, this relief is not sufficiently immediate.

By the terms of the constitutional amendment which creates the Kansas City Court of Appeals, the jurisdiction of the St. Louis Court of Appeals is extended so as to include fifty-four more counties than it did before its adoption. While there is provision made for the transfer of causes from the Supreme Court to the Kansas City Court of Appeals, I find no provision for the transfer of causes from the Supreme Court to the St. Louis Court of Appeals, or for the transfer to either court of appeals causes appealed to the Supreme Court after the date of the adoption of such amendment.

I fear the expiration of the term of the Commissioners will leave the Supreme Court still behind and over-burdened with work.

Believing it to be the duty of the executive and the legislative branch of government to aid and co-operate with the judicial branch, I do hereby recommend such legislation as will enable the Supreme Court to continue the service of the Commissioners for a period of two years from the expiration of their present term, unless sooner discharged by said court.

Respectfully,

JOHN S. MARMADUKE.

TO THE SENATE

JANUARY 22, 1885

From the Journal of Executive Business, p. 245

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 21, 1885.

Sir—I have the honor to inform the Senate that I have appointed Dr. Robt. E. Young, of Cole County, to the office of Regent for Lincoln Institute Normal School, to fill the vacancy caused by the death of Hon. William C. Boone, in which appointment the concurrence of the Senate is respectfully requested.

Very Truly Yours,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 28, 1885

From the Journal of Executive Business, p. 246

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 28, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. Oscar G. Burch and Mr. Jesse W. Harvey, both of Cole County, to the office of Regent for Lincoln Institute Normal School for a term of six years commencing January 1st 1885, in which appointment the concurrence of the Senate is respectfully requested.

Very Truly Yours,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 29, 1885

From the Journal of the House of Representatives, p. 257

Sir—I have the honor to lay before you the report of the State Board of Health.

Very respectfully,
JOHN S. MARMADUKE.

HON. J. M. WOOD, Speaker House of Representatives.

TO THE SENATE

JANUARY 29, 1885

From the Journal of Executive Business, p. 246

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 29, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. Joseph Campbell, of Phelps County, to the office of Curator of the University of the State of Missouri for a term of six years, commencing January 1st 1885, in which appointment the concurrence of the Senate is respectfully requested.

Very Truly Yours,
JOHN S. MARMADUKE.

HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 29, 1885

From the Journal of Executive Business, p. 247

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 29, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. Darwin W. Marmaduke, of Saline County, to the office of Warden of the Missouri Penitentiary for a term of four years, commencing on the third Monday in January 1885, in which appointment the concurrence of the Senate is respectfully requested.

Very Truly Yours,
JOHN S. MARMADUKE.

HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1885

From the Journal of the Senate, p. 205

Senators and Representatives:

I have the honor to submit herewith the following telegram:

NEW ORLEANS, LA., January 31st, 1885.

J. S. MARMADUKE, *Governor of Missouri:*

The board of management of the Worlds Exposition cordially invite you, your staff and the members of you legislature to visit the exposition whenever you and they may deem fit, at which time the proper courtesies will be extended you.

E. A. BURKE,
D. G. (Director General).

And ask that you take such action with reference to the part referring to yourselves as you may deem proper.

Very truly yours,
JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

FEBRUARY 6, 1885

From the Journal of Executive Business, p. 247

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 6, 1885.

Sir—I have the honor to inform the Senate that I have appointed Mr. R. B. Price of Boone County and Mr. J. P. Estill of Howard County to the office of Curators of the University of Missouri for a term of six years commencing the first of January 1885, in which appointments the concurrence of the Senate is respectfully requested.

Very Truly Yours,
JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of the Senate.

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1885

From the Journal of the House of Representatives, p. 505

CITY OF JEFFERSON, February 13, 1885.

Sir—I have the honor herewith to submit to you the biennial report of the Fish Commission of Missouri, for the years 1883 and 1884; and also the letter of the chairman of said Commission accompanying said report.

Very truly yours,
JOHN S. MARMADUKE.

To HON. JOHN M. WOOD, Speaker House of Representatives.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 1885

From the Journal of the Senate, p. 316

CITY OF JEFFERSON, February 17, 1885.

Senators and Representatives:

Having given the important subject of the penitentiary careful investigation and consideration, and believing it to be in much need of thoughtful legislation, both in the interest of the people of the State as well as of the unfortunate inmates, I beg to call your attention to the recommendations of the Warden and Inspectors herewith in which I heartily concur and make a part of this message.

I believe a branch penitentiary the only wise solution of the difficulties that surround this institution.

I believe the Inspectors and the Warden should comprise the commission, for the reason that the responsibility of the management of the penitentiary was placed by the people in the hands of the Inspectors and its executive management devolves upon the Warden. They should and will be held to a strict accountability for their management, and for these reasons would be the safest commission you could appoint.

I therefore respectfully recommend legislation to the above end.

Very truly yours,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of the Senate.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

FEBRUARY 20, 1885

From the Journal of the House of Representatives, p. 626

CITY OF JEFFERSON, February 20, 1885.

Senators and Representatives:

I have the honor herewith to submit to you the following report of the Commissioner for the State of Missouri to the World's Industrial and Cotton Centennial Exposition, with letters from Messrs. D. R. Francis, President Merchants' Exchange of St. Louis, and L. A. Goodman,Secretary State Horticultural Society.

Very respectfully,
JOHN S. MARMADUKE.

To HON. JOHN M. WOOD, Speaker of House of Representatives.

TO THE SENATE

FEBRUARY 27, 1885

From the Journal of Executive Business, p. 248

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 27, 1885.

Sir—I have the honor to inform the Senate that I have appointed Dr. Austin D. Standish, of Cole County, to the office of Physician of the Missouri State Penitentiary for a term of four years commencing on the third Monday in January, 1885, in which appointment the concurrence of the Senate is respectfully requested.

Very Truly Yours,
JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

MARCH 6, 1885

From the Journal of Executive Business, pp. 248-249

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 6, 1885.

Sir—I have the honor to inform the Senate that I have appointed William Harrison, Charles Jamison, William R. Terry, William H. Vivion and Elijah T. Scott, M. D. of Callaway County, W. R. Rodes, M. D., of Audrain County, Gustave Ettmueller M. D. Gasconade County, David W. Wood, M. D. Bates County, and Ben Eli Guthrie, of Macon County, to the office of Board of Managers of the State Lunatic Asylum at Fulton, for a term of four years, in which appointment the concurrence of the Senate is respectfully requested.

Very Truly Yours,
JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

MARCH 6, 1885

From the Journal of Executive Business, p. 249

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 6, 1885.

Sir—I have the honor to inform the Senate that I have appointed C. A. Bailey, S. L. Dedman, John A. Hockaday, of Callaway, John A. Gallaher, of Johnson, and C. A. Thompson, M. D. of Cole County to the office of Commissioner for the Education of the Deaf and Dumb for a term of four years, in which appointments the concurrence of the Senate is respectfully requested.

Very Truly Yours,
JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES

MARCH 19, 1885.

From the Journal of the House of Representatives, p. 1155

CITY OF JEFFERSON, March 19, 1885.

Senators and Representatives:

I have the honor herewith to submit for your information the reports of the Adjutant-General and Commissioner of Labor Statistics and Inspection on the recent strike of railroad employes.

Very respectfully,
JOHN S. MARMADUKE.

TO THE SECRETARY OF STATE

APRIL 10, 1885

From the Journal of the Senate, pp. 869-870

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, April 10, 1885.

Hon. M. K. McGrath, Secretary of State:

Sir—I have the honor to return to you a bill, which originated in the Senate, of the following title: "An act to grant aid to the counties of Mississippi, New Madrid, Pemiscot and Dunklin on account of great public calamity and double taxation," which was presented to me within the ten days next prior to the adjournment of the General Assembly, with my approval indorsed thereon.

I have considered this bill with no little care, and to my approval of it I wish to add a word. A former bill for the relief of the same people, by exempting from taxation these four counties, being clearly unconstitutional, was returned with my objections. This one took its place. Thus

twice has the General Assembly manifested its purpose to "grant aid" in this as a case of "public calamity." Alive to the dangerous tendency to make unauthorized appropriations under this vague power, I feel impelled to scrutinize such appropriations as this closely before lending them my approval.

I cannot but regret that there is not some way provided by which we might the more certainly determine when a given case falls within the constitutional exception authorizing a grant of aid (Constitution, Art. 4, § 46). This, the General Assembly has twice said, is such a case. The bill is defective—almost fatally defective—in that it makes no provision for disposing of the funds appropriated. But, trusting that the several county courts will so place and use these funds, under the law, as to do the greatest good to the greatest number of actual sufferers from the floods, I approve the bill.

Very respectfully,

JOHN S. MARMADUKE.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 73

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Louis Houck to fill vacancy in the office of Regent of Normal School district No. 3, for a term expiring January 1, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of the Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 73

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Robert E. Young and Alexander Chinn to the office of Regents of Lincoln Institute Normal school for a term of six years from January 1, 1887, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, pp. 73-74

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Henry W. Williams to the office of recorder of voters for the City of St. Louis, for a term of four years from January 1, 1887, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 74

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Louis W. Danforth and Charles C. Rozier to the office of Regents of Normal School district No. 3, for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 74

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed J. H. Kinyoun and James B. Gantt to the office of Regents of Normal School district No. 2, for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 74

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Andrew Ellison and Sumner Boynton to the office of Regents of Normal School district No. 1, for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 75

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Waller Young, James W. Heddens, Artileas V. Banes, George W. Davis, William W. Ramsay, Thomas R. Valliant, William K. Debord, to the office of Managers of Lunatic Asylum No. 2, for a term ending March 1, 1890, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 75

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Norman J. Colman, Charles C. Bland and Joseph S. Moss to the office of Curator of State University for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, pp. 75-76

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Edwin W. Stephens to fill vacancy in the office of Curator of the State University for a term expiring January 1, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 76

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Dr. Glen O. Hardeman to fill vacancy in the office of Manager of Lunatic Asylum No. 1, for a term ending February 6, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 76

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to inform the Senate that I have appointed Benjamin G. Dysart to fill vacancy in the office of Manager of Lunatic Asylum No. 1, for a term ending February 6, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JANUARY 10, 1887

From the Journal of the Senate, p. 76

CITY OF JEFFERSON, January 10, 1887

Sir—I have the honor to inform the Senate that I have appointed James L. Blair and Edward Wilkerson to the office of police commissioner for the city of St. Louis, for a term of four years from January 1, 1887, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE GENERAL ASSEMBLY

JANUARY 10, 1887

From the Journal of the House of Representatives, pp. 57-58

CITY OF JEFFERSON, January, 1887.

Gentlemen of the General Assembly:

In accordance with section 8, article 5, of the Constitution, I have the honor to communicate to your body the reprieves, commutations and pardons granted by me, with the reasons for granting the same.

Very respectfully,

JOHN S. MARMADUKE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1887

From the Journal of the House of Representatives, p. 58

CITY OF JEFFERSON, January 10, 1887.

Sir—I have the honor to transmit herewith the report of the Adjutant-General for the year 1886.

Very respectfully,

JOHN S. MARMADUKE.

To HON. J. W. ALEXANDER, Speaker of House of Representatives.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 11, 1887

From the Journal of the House of Representatives, pp. 67-68

Hon. J. W. Alexander, Speaker of the House of Representatives:

Sir—I have the honor to transmit to you the accompanying reports submitted to me as the Executive of the State of Missouri, to wit:

Report of the Register of Lands for the years 1885 and 1886.

Fourth biennial report of the Fish Commission of the State of Missouri.

Fifteenth biennial report of the Board of Trustees and Superintendent of the Missouri School of the Blind.

Annual report of the State Board of Health.

Seventh and eighth annual reports of the Bureau of Labor Statistics and Inspection.

Very respectfully,

JOHN S. MARMADUKE.

TO THE GENERAL ASSEMBLY

JANUARY 18, 1887

From the Journal of the House of Representatives, pp. 123-125

CITY OF JEFFERSON, MISSOURI, January 18, 1887.

To the General Assembly:

The observation and experience furnished by two years occupancy of an office in our capitol building has impressed me with the importance, or rather the necessity, of improving and adding to this building.

I do not need to argue to you gentlemen that the hall for the House of Representatives is entirely inadequate and unsuited to the proper accommodation of the body which occupies it.

It is not only much too small, but it is so deficient in provision for both heating and ventilating it that it is positively dangerous to the health of a man to undertake to serve a term in that House. This fact has been remarked for years. No one who is in a situation to know will doubt that a better hall can be and should be provided.

While probably not so apparent to you gentlemen, yet it is equally true that at least four of the office rooms in this building are wholly inadequate to the security of the records and the proper and convenient conduct of the business in them.

I refer to the offices occupied by the Secretary of State, State Auditor, State Treasurer and Superintendent of Public Schools. The Governor's office is comfortable and amply sufficient for its purposes.

I imagine there can be but little difference of opinion as to whether or not these things are true or whether the improvements are needed. The questions which present the only difficulty in the premises are when and how the deficiency shall be provided for. My opinion is clear that

the delay has been too long already. The expense involved in the improvements under discussion should be incurred only because necessary and right. If, for such reasons, the obligation rests upon the State it ought to be met, as other obligations are met, as soon after demand or notice as the resources of the treasury will admit.

Two ways of meeting this obligation have been freely discussed by our citizens for several years past. One is to erect an entirely new building here or elsewhere, the other is to alter and add to this building. I prefer and recommend the latter plan for several reasons: No more of the people's money should be expended for such purpose than is necessary to provide a safe, commodious and durable edifice. This consideration indicates that use should be made of all the available material now on hand. The building we now occupy is substantially and symmetrically built and every part of it can be economically adapted to and used for the accommodation of other officers, who need less room, and for the committees of the General Assembly. Competent and well informed architects tell me that sufficient additions to provide a proper and commodious hall for the House of Representatives and offices for the four officers mentioned, with large and convenient fireproof vaults, can be made to this building for about $200,000; and that by remodeling the roof of the present structure, the architectural effect of the whole building will not be marred. If this be true, and I think it is, I would suggest and recommend that you gentlemen appropriate sufficient money to make said additions to this building. I would also suggest and recommend that you authorize and provide for supplying the building with steam heating apparatus and with water.

These matters have engaged my attention for the past two years, and I am very confident they merit your careful consideration and prompt attention.

Very respectfully,

JOHN S. MARMADUKE.

TO THE GENERAL ASSEMBLY

JANUARY 25, 1887

From the Journal of the House of Representatives, p. 239

CITY OF JEFFERSON, January 25, 1887.

To the General Assembly:

I herewith submit to you the official report of Thos. T. Gantt, who was appointed by me as a delegate of the State of Missouri to the Constitutional Centennial Commission, held at Philadelphia on December 2d and 3d, 1886.

I trust his report may receive your careful attention, and that such action thereon may be taken by you as will most redound to the credit, honor and interest of our State.

Very respectfully,

JOHN S. MARMADUKE.

TO THE GENERAL ASSEMBLY

JANUARY 25, 1887

From the Journal of the House of Representatives, pp. 239-240

CITY OF JEFFERSON, January 25, 1887.

To the General Assembly:

It will be remembered that a few days before the adjournment of the Thirty-third General Assembly, it was alleged by veterinary surgeons and others that contagious pleuro-pneumonia prevailed in Callaway county of this State, and that it had first appeared in a small herd of cattle belonging to the State, and kept for the use of Lunatic Asylum No. 1. Before that General Assembly adjourned, it passed a resolution authorizing the board of managers of said asylum to kill the cattle at said asylum, and passed an act providing for the appointment of a State veterinary surgeon, defining his duties and fixing his compensation.

Such act also contains certain provisions for quarantining diseased animals, but makes no provision for killing them. Immediately after the General Assembly had adjourned the impression became general that the disease in said Callaway county was contagious pleuro-pneumonia of a malignant form, and that the germs of the disease had probably been spread over a considerable area and infected a large number of cattle, and that to eradicate the disease from our State would require the slaughter of a number of cattle and necessitate the expenditure of a large sum of money. As a result of the fear inspired by such impression, many worthy and intelligent citizens visited me for the purpose of urging me to call a special session of the General Assembly. Believing that the spread of the disease, whatever it might be, could be checked and the State completely rid of it before the Legislature could convene and take action, and for a less sum of money than would meet the expenses of a called session, without including what the Legislature might direct to be expended in ridding the State of the disease, I declined to call the General Assembly together. In doing so I urged upon those most interested in the property threatened and most able to advance the money, to contribute to a fund to be used under the direction of certain committees for the purpose of stamping out the disease, assuring them that I would recommend to this Legislature that such money so contributed be refunded. As a result of such policy, contributions were received to the amount of $3,391.16, of which amount $1,594.43 were expended in fighting the disease. This money was received by and expended under the direction of two committees, namely, a local committee composed of citizens of Callaway county and a "State finance committee," composed of the State Auditor, State Treasurer and myself. I hand you herewith the report of each of the treasurers of these committees, which show in detail who contributed the money and how it was expended. They need no explanation. I trust, gentlemen, you will make provision for the prompt return of all the money so contributed. This will require an appropriation of $1,-

594.43, for which small sum the citizens of the State were relieved from a most serious fright about their cattle interests, and the State saved from the extravagant bill of costs incident to a called session of the Legislature.

JOHN S. MARMADUKE.

TO THE SENATE

FEBRUARY 4, 1887

From the Journal of the Senate, p. 232

CITY OF JEFFERSON, February 4, 1887.

Sir—I have the honor to inform the Senate that I have appointed Watson J. Ferry and James Lillis to the office of Police Commissioner for the City of Kansas for a term of three years, commencing February 9, 1887, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

FEBRUARY 4, 1887

From the Journal of the Senate, p. 233

CITY OF JEFFERSON, February 4, 1887.

Sir—I have the honor to inform the Senate that I have appointed James M. Duncan of Pleasant Hill, to the office of Regent of Normal School No. 2, to fill vacancy in a term ending January 1, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

FEBRUARY 16, 1887

From the Journal of the Senate, p. 316

CITY OF JEFFERSON, February 16, 1887.

Sir—I have the honor to inform the Senate that I have appointed Grandison A. Goben, M. D., George M. Cox, M. D., William Gentry and James B. Prather, to the office of member of State Board of Health of Missouri, for a term ending July 2, 1892, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON A. P. MOREHOUSE, President of Senate.

TO THE SENATE

FEBRUARY 16, 1887

From the Journal of the Senate, p. 316

CITY OF JEFFERSON, February 16, 1887.

Sir—I have the honor to inform the Senate that I have appointed Albert Merrell, M. D., George Homan, M. D., and Jefferson D. Griffith, M. D., to the office of member of State Board of Health of Missouri, for a term expiring July 2, 1887, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

MARCH 21, 1887

From the Journal of the Senate, p. 733

CITY OF JEFFERSON, March 21, 1887.

Sir—I have the honor to inform the Senate that I have appointed R. M. Scruggs of St. Louis, D. Robert Barclay of St. Louis, Joseph O'Neil of St. Louis, Dr. S. Pollack of St. Louis, John R. Lionberger of St. Louis, William C. Young of Jefferson City, C. B. McAfee of Springfield, W. A. Jacobs of Chillicothe and R. O. Boggess of Kansas City, to the office of trustee of the Missouri School for the Blind, for a term ending February 27, 1889, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE GENERAL ASSEMBLY

MARCH 21, 1887

From the Journal of the Senate, pp. 738-739

CITY OF JEFFERSON, March 21, 1887.

Gentlemen of the General Assembly:

Entertaining a profound conviction that the people of this State, with marked unanimity, desire, and that the peace and welfare of the State demand the enforcement of the mandates of our State Constitution in reference to railways as public highways, and to railroad companies as common carriers; and whatever may be true of the past or

of the future, feeling confident that this General Assembly is able and willing to enact conservative, fair, rightful and strong laws for that purpose; and believing that such legislation has been already delayed too long, and that the subject is of importance so great to the tax-payers as to justify a session at which this matter can be considered, freed from the multitude of conflicting and perplexing questions incident to a regular session, I now give notice that I shall issue a proclamation convening you in extra session, to take action in this matter at as early a day as will enable you gentlemen to attend to those matters of personal concern that have been deferred by reason of your stay here.

Very respectfully,

JOHN S. MARMADUKE.

TO THE SENATE

MAY 13, 1887

From the Journal of the Senate, Extra Session, p. 12

CITY OF JEFFERSON, May 13, 1887.

Sir—I have the honor to inform the Senate that I have appointed W. Pope Yeaman and George C. Pratt, both of Boone county, to the office of curator of the University of the State of Missouri, to fill vacancies caused by the resignation of E. W. Stephens and John S. Clarkson, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

MAY 13, 1887

From the Journal of the Senate, Extra Session, p. 12

CITY OF JEFFERSON, May 13, 1887.

Sir—I have the honor to inform the Senate that I have appointed Thomas Maupin for a term of one year, John Donovan, Jr., for a term of two years, and Bernard Patton for a term of three years, to the office of police commissioners of the city of St. Joseph, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

MAY 13, 1887

From the Journal of the Senate, Extra Session, p. 12

CITY OF JEFFERSON, May 13, 1887.

Sir—I have the honor to inform the Senate that I have appointed John C. Hope to the office of recorder of voters for the City of Kansas, for a term expiring the first day of January, 1891, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

MAY 23, 1887

From the Journal of the Senate, Extra Session, p. 20

CITY OF JEFFERSON, May 23, 1887.

Sir—I have the honor to recommend to the consideration of the General Assembly the subject of appropriations of money for the deficiencies in the appropriations for the years 1885 and 1886, and for the payment of other legal demands against the State for the payment of which no appropriation has hitherto been made.

A bill for the appropriation of money for the purposes indicated was at the regular session of this General Assembly passed by both Houses, but by accident appears to have been mislaid and therefore was not enrolled or presented for my approval.

I recommend legislative action upon these subjects.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JUNE 7, 1887

From the Journal of the Senate, Extra Session, p. 39

CITY OF JEFFERSON, June 7, 1887.

Sir—I have the honor to inform the Senate that I have appointed Dr. Joseph K. Cole of Barton county and William M. Bunce of Vernon county to the office of managers of State Lunatic Asylum No. 3, for a term of two years, and also Dr. Joseph R. Robinson of Henry county, Henry C. Moore of Vernon county and Daniel C. Kennedy of Greene

county for a term of three years, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

TO THE SENATE

JUNE 30, 1887

From the Journal of the Senate, Extra Session, p. 92

CITY OF JEFFERSON, June 30, 1887.

Sir—I have the honor to inform the Senate that I have appointed to the office of board of control of the "State Industrial Home for Girls," Mrs. Julia S. Vencient of St. Louis and John T. Daniel of Maryville, for a term of two years; Mrs. Isabelle R. Slack of Chillicothe and Thomas B. Yates of Gallatin, for a term of four years, and William McIlwrath of Chillicothe and John H. Shanklin of Trenton, for a term of six years, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, President of Senate.

PROCLAMATIONS

ON REMOVAL OF DISABILITIES

JANUARY 19, 1885

From the Register of Civil Proceedings, 1882-1885, p. 503

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that—WHEREAS, M. F. Curd was, at the January term, 1882, of the circuit court of Grundy county convicted of selling liquor in less quantities than one gallon and sentenced to pay a fine of Eighty dollars and the said Curd having paid said fine Now THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said M. F. Curd by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this nineteenth day of January in the
(Seal) year of Our Lord one thousand eight hundred and eighty-five; of the Independence of the United States the one hundred and ninth and of the State of Missouri the sixty-fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

JANUARY 19, 1885

From the Register of Civil Proceedings, 1882-1885, pp. 503-504

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS Anthony Dubach was, at the January term, 1882, of the circuit court of Grundy county, convicted of selling liquor in less quantities than one gallon and sentenced to pay a fine of one hundred and twenty dollars; and the said Dubach having paid said fine Now THEREFORE I, John S. Marmaduke, governor of the State of Missouri by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Anthony Dubach by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the city of Jefferson this nineteenth day of January in the
(Seal) year of our Lord one thousand eight hundred and eighty-five; of the Independence of the United States the one hundred and ninth, and of the State of Missouri the sixty-fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

FEBRUARY 19, 1885

From the Register of Civil Proceedings, 1882-1885, p. 521

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that—WHEREAS Thomas H. Gibson was by the judgment of the circuit court of Adair county convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dramshop within this state, NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Thomas H. Gibson by reason of such judgment and conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the city of Jefferson this nineteenth day of February in the
(Seal) year of Our Lord one thousand eight hundred and eighty-five, of the Independence of the United States the one hundred and ninth, and of the State of Missouri the sixty-fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

FEBRUARY 19, 1885

From the Register of Civil Proceedings, 1882-1885, pp. 521-522

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS George W. England was, by the judgment of the circuit court of Adair county, convicted of selling liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE I, John S. Marmaduke, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said George W. England by reason of such judgment and conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this, nineteenth day of February in the
(Seal) year of Our Lord One thousand eight hundred and eighty-five of the independence of the United States the one hundred and ninth and of the State of Missouri the sixty fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

FEBRUARY 19, 1885

From the Register of Civil Proceedings, 1882-1885, p. 522

The State of Missouri, to all who shall see these presents: Greeting:

Know Ye that WHEREAS, Stephen Kiggins was, by the judgment of the circuit court of Adair County, convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state—Now THEREFORE I, John S. Marmaduke, governor of the State of Missouri by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Stephen Kiggins by reason of such judgment and conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this nineteenth day of February in the
(Seal) year of Our Lord One thousand eight hundred and eighty five, of the independence of the United States the One hundred and ninth and of the State of Missouri the sixty fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

FEBRUARY 27, 1885

From the Register of Civil Proceedings, 1882-1885, p. 527

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS, Harvey Sloan was, at the December term 1884 of the circuit court of Adair county, convicted of selling liquor in less quantity than one gallon and sentenced to pay a fine of two hundred dollars and the said Harvey Sloan having paid said fine Now, THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Harvey Sloan by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this 27th day of February in the year
(Seal) of Our Lord one thousand eight hundred and eighty five, of the independence of the United States the one hundred and ninth, and of the State of Missouri, the sixty fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

MARCH 2, 1885

From the Register of Civil Proceedings, 1882-1885, p. 528

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Lane Britton, is charged with the crime of murder in the county of Jasper and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred and fifty dollars for the arrest and conviction of said Lane Britton of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the city of Jefferson this 2nd day of March AD 1885.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE ENFORCEMENT OF CIVIL LAW

MARCH 12, 1885

From the Register of Civil Proceedings, 1882-1885, pp. 533-534

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 12, 1885.

WHEREAS is has been made known to this department that the transportation of freight has been interfered with, and the commerce and trade of the state have been obstructed, and the exercise of the rights and franchises of

lawful corporations have been impeded by the unlawful conduct of persons recently in the employ of the railroad companies of this state, and others associated with them, at various important commercial points in the state, by the intimidation of other employees of said railroad companies, and by obstructing the moving of locomotives, cars and trains.

Now Therefore I, John S. Marmaduke, governor of the State of Missouri, do issue this proclamation of warning to such persons as are engaged in these unlawful acts and combinations:

Such conduct is in violation of the laws of the state of Missouri, both civil and penal, and is also subversive of justice and incompatible with the conditions of peace and order.

While recognizing the right all men have to retire from the service of any person or corporation, whether such person or corporation be engaged in agricultural, mechanical, commercial or transportation pursuits, by giving fair notice; and also that other persons have the unquestioned privilege to take employment thus vacated by the retirement of such dissatisfied persons, without molestation, by acts and menace, for so doing and without intimidation from those retiring from such service—the parties aggrieved having the unquestioned right to redress for all wrongs before the constituted authorities of the state; but I deny any right to interfere with the lawful operations of their former employers, and call upon all peace officers of the commonwealth, and especially upon the officers of the counties and municipalities charged with conserving the peace and enforcing law and order, to discharge their duties fearlessly and without favor, partiality or prejudice, in order that all classes of persons and property shall be protected, and to see that the laws are faithfully and impartially enforced: And I hereby order that all individuals, or combinations of individuals assembled, or to be assembled at any point in this state, whose object is to interfere with the trans-

portation of persons or property, or to intimidate those otherwise willing to co-operate in the free and prompt transportation of persons or property, to desist at once and without further warning from such unlawful acts; and I do hereby direct and command all officers charged with such duties to see that this order is immediately and fully enforced under the pains and penalties prescribed by law.

In Testimony Whereof I hereunto set my hand and caused to be affixed the great seal of the state (Seal) of Missouri: Done at the city of Jefferson this 12th day of March A. D. 1885.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

APRIL 2, 1885

From the Register of Civil Proceedings, 1882-1885, p. 546

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye That—It is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the State Seminary Fund of said state, in the sum of Five Thousand Dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest, semi-annually, at the rate of five per centum per annum, out of any money in the state treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year and applied to the maintenance of the Agricultural College and school of mines as provided by law. This Certificate of indebted-

ness represents certain sums of money paid into the state treasury by the treasurer of the Board of Curators of the State University on the Thirteenth day of January 1885, said money being the proceeds derived from the sale of the agricultural college lands donated to the State of Missouri by virtue of an act of Congress, approved July second 1862, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agricultural and the mechanic arts"—It is non-negotiable and is issued in compliance with an act of the general assembly of the State of Missouri, approved March 31st 1883, and entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or seminary fund of the state or that may hereafter be paid into the state treasury, etc."

In Witness Whereof, I have hereunto set my hand and caused to be affixed the great seal of the (Seal) state of Missouri. Done at office in the city of Jefferson, Missouri this second day of April, 1885.

By the Governor: JOHN S. MARMADUKE.

MICH'L K. MCGRATH,
Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

APRIL 28, 1885

From the Register of Civil Proceedings, 1882-1885, pp. 561-562

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the state school fund of said state

in the sum of Two hundred and one thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually at the rate of five per centum per annum, out of any money in the state treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year, and applied to the maintenance of free public schools in the State of Missouri as provided by law.

This Certificate of indebtedness represents certain sums of money paid into the state treasury and placed to the credit of the state school fund by virtue of certain acts of the General Assembly of the State of Missouri entitled as follows: "An act to regulate the appointment of Notaries public in all cities having a population of one hundred thousand inhabitants or more"—approved March 24, 1881;—"An act to appropriate money for the support of the State government for the years 1883 and 1884," Approved April 2nd 1883; Said sums of money were derived from notaries public appointed in cities containing one hundred thousand inhabitants or more as provided in said act of March 24, 1881, and from the state Revenue fund, as provided in section 3, of the general appropriation act Approved April 2nd 1883. The Certificate is non-negotiable and is issued in compliance with an act of the general assembly of the State of Missouri Approved March 31st 1883 entitled, "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or Seminary fund of the state, or that may hereafter be paid into the state treasury, etc."

In Witness Whereof, I have hereunto set my hand and caused to be affixed the great seal of the (Seal) State of Missouri. Done at office in the city of Jefferson, Missouri, this 28th of April, 1885.

By the Governor: JOHN S. MARMADUKE.

MICH'L K. MCGRATH,
Secretary of State.

ON REMOVAL OF DISABILITIES

JUNE 9, 1885

From the Register of Civil Proceedings, 1882-1885, p. 582

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS, A. Guntz was, at the August term 1882, January term 1883 and April term 1884 of the circuit court of Grundy County, convicted of selling liquor in less quantity than one gallon, and sentenced to pay a fine, and the said A. Guntz having paid said fine, Now THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said A. Guntz by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri: Done at the city of Jefferson this ninth day of June in the year of
(Seal) Our Lord one thousand eight hundred and eighty-five, of the independence of the United States the One hundred and ninth and of the State of Missouri the sixty-fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

JUNE 9, 1885

From the Register of Civil Proceedings, 1882-1885, pp. 582-583

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS, John Coyle was at the August term 1882, January and August terms 1883, April and October terms 1884, and January and April terms 1885 of the circuit court of Grundy County convicted of selling liquor in less quantity than one gallon and sentenced to pay a fine, and the said John Coyle having paid said fine. NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said John Coyle by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this ninth day of June in the year of
(Seal) our Lord one thousand eight hundred and eighty-five, of the independence of the United States the one hundred and ninth and of the State of Missouri the sixty fifth.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

JUNE 9, 1885

From the Register of Civil Proceedings, 1882-1885, p. 583

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS, George Fisher Jr was at the April term 1884 of the circuit court of Grundy county convicted of selling liquor in less quantity than one gallon and sentenced to pay a fine, and the said George Fisher Jr having paid said fine. NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said George Fisher Jr by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this ninth day of June in the year of our Lord one thousand eight hundred and eighty five, of the independence of the United States the one hundred and ninth and of the State of Missouri the sixty fifth.

(Seal)

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,
Secretary of State.

ON REMOVAL OF DISABILITIES

JUNE 10, 1885

From the Register of Civil Proceedings, 1882-1885, p. 585

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS John Shaw was at the March term 1880, and September term 1880 of the criminal court

of Saline county convicted on fourteen several indictments for selling liquor without license and sentenced to pay a fine of forty dollars in each case, and the said John Shaw having paid said fines, Now Therefore, I, John S. Marmaduke, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said John Shaw by reason of the convictions and sentences aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this tenth day of June in the year of
(Seal) our Lord one thousand eight hundred and eighty-five, of the independence of the United States the one hundred and ninth and of the State of Missouri the sixty-fifth.

John S. Marmaduke.

By the Governor:
Mich'l K. McGrath,
Secretary of State.

ON REMOVAL OF DISABILITIES

July 13, 1885

From the Register of Civil Proceedings, 1882-1885, p. 604

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that Whereas, J. W. Hall was, at the March term 1885 of the Criminal Court of Saline county, convicted on four several indictments for selling liquor on Sunday and sentenced to pay a fine of twenty-five dollars in each case; and the said J. W. Hall having paid said fines, Now Therefore, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and

for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said J. W. Hall by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the state of Missouri. Done at the city of Jefferson this thirteenth day of July in the (Seal) year of Our Lord One Thousand eight hundred and eighty-five, of the independence of the United States the one hundred and tenth and of the state of Missouri the sixty-fifth.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

SUSPENDING AN EXECUTION

JULY 28, 1885

From the Register of Civil Proceedings, 1882-1885, p. 610

The State of Missouri, to the Sheriff of the county of Pike, Greeting:

Know ye that by virtue of authority in me vested by law, and for good and sufficient reasons appearing, I, John S. Marmaduke, governor of the State of Missouri do hereby suspend the sentence and execution of Samuel W. Collins until Friday the 28th day of August eighteen hundred and eighty five, who was by a judgment of the circuit court of Pike County, at its March term 1885 sentenced to be hanged: And you the sheriff of said county of Pike are hereby directed and commanded to carry out and execute the said judgment and sentence of said circuit court upon the said Samuel W. Collins on the said 28th day of August 1885 in manner and form as therein set forth in every and all respects as you would and should have done if this suspension and the

aforesaid stay had not been made and this extension of time given.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 28th day of July AD 1885.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

AUGUST 4, 1885

From the Register of Civil Proceedings, 1882-1885, p. 614

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS Thomas A. Felker was at the October term 1884 and April term 1885 of the circuit court of Maries county convicted on two several indictments for selling liquor on Sunday and sentenced to pay fines amounting to forty dollars, and the said Thomas A. Felker having paid said fines, NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Thomas A. Felker by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of

the State of Missouri. Done at the city of Jefferson this fourth day of August in the year
(Seal) of our Lord one thousand eight hundred and eighty-five, of the independence of the United States the one hundred and tenth and of the State of Missouri the sixty sixth.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON DECLARING A COMMISSION VACATED

AUGUST 7, 1885

From the Register of Civil Proceedings, 1882-1885, p. 615

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by law, I John S. Marmaduke governor of the State of Missouri, hereby declare vacated, from and after the first day of November 1885, the commission heretofore issued to L. C. Russell Jones, as a commissioner of deeds for the State of Missouri, in Sydney, Australia, he having failed to qualify as such commissioner as required by section 641 Revised Statutes of the State of Missouri 1879.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the city of Jefferson this seventh day of August A. D. 1885.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON REMOVAL OF DISABILITIES

AUGUST 22, 1885

From the Register of Civil Proceedings, 1882-1885, p. 623

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that—WHEREAS— Noah McCaskey was, at the March term 1885 and the June term 1885, of the circuit court of Nodaway county, convicted on three several indictments for selling liquor without license, and sentenced to pay a fine of forty dollars in each case, and the said Noah McCaskey having paid said fines, NOW THEREFORE, I, Albert P. Morehouse, acting governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Noah McCaskey by reason of the conviction and sentences aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 22nd day of August in the year of
(Seal) Our Lord one thousand eight hundred and eighty five, of the independence of the United States the one hundred and tenth and of the State of Missouri the sixty sixth.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

AUGUST 22, 1885

From the Register of Civil Proceedings, 1882-1885, p. 624

The State of Missouri, To all who shall see these presents—Greeting:

Know Ye that, WHEREAS, John Peoples was, at the November term 1884 and the March term 1885 of the circuit court of Nodaway county convicted on six several indictments for selling liquor without license and sentenced to pay a fine of forty dollars in each case and the said John Peoples having paid said fines.

NOW THEREFORE I, Albert P. Morehouse, acting governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said John Peoples by reason of the conviction and sentences aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this 22nd day of August in the year of
(Seal) Our Lord one thousand eight hundred and eighty-five, of the independence of the United States the one hundred and tenth and of the State of Missouri the sixty sixth.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

SEPTEMBER 4, 1885

From the Register of Civil Proceedings, 1885-1888, p. 3

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, on the evening of September 2nd 1885 four masked and armed men, whose names are to me unknown, did enter the westbound passenger train on the Chicago and Alton Railroad, at Blue Springs, in Jackson county, Missouri, and with force and violence put in danger the lives of the passengers, and take, steal and carry away various sums of money, the property of said passengers; and WHEREAS, said robbers are still at large, and public safety demands their prompt and sure punishment; and WHEREAS, the good people of the state, everywhere, desire and public decency and morality require, that all criminals, the most vicious and dangerous, as well as the least offensive, be punished according to legal modes and by properly constituted authorities. NOW THEREFORE, in consideration of the premises, and in addition to the reward already offered by the Chicago and Alton Railroad Company ($4,000) I John S. Marmaduke Governor of the State of Missouri, do hereby offer a reward of One thousand dollars ($1,000) for the arrest and conviction of each person participating in the robbery aforesaid; And I call upon and direct all sheriffs and other peace officers of counties and cities in this state, and particularly the marshal of Jackson county, to forthwith make vigorous pursuit of these criminals, and, if captured, to deliver them to the sheriff of Jackson county, Missouri.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri—Done at the City of Jefferson this 4th. day of September 1885.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THANKSGIVING

NOVEMBER 5, 1885

From the Register of Civil Proceedings, 1885-1888, p. 29

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

In order that secular business may be suspended, and all the people of the commonwealth may unite in giving thanks to Almighty God for the manifold blessings we now enjoy—

I, John S. Marmaduke, governor of the State of Missouri, do hereby designate and set apart Thursday the twenty sixth day of November, instant, as a day of public Thanksgiving: Let us on that day with our thanks join charity and remember the poor with substantial contributions to their comfort.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the City of Jefferson this fifth day of November A. D. 1885.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE DEATH OF THOMAS A. HENDRICKS

NOVEMBER 27, 1885

From the Register of Civil Proceedings, 1885-1888, p. 39

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

The great and good man, Thomas A. Hendricks, vice president of the United States, is dead, and to fitly express our sense of the loss to the country he served so long, so ably and so faithfully, and in recognition of his true greatness, in that he did meet and control the most important political difficulties and contests without resorting to disreputable means or losing his own purity of heart and life, and especially that our people may thus give expression to the peculiarly tender regard in which he has always been held by them.

I, John S. Marmaduke, governor of Missouri request that on the day of his burial, Tuesday December first—all public offices be closed, the flags be displayed at half mast, and the people take such measures as to them see fit to properly honor his memory.

In Testimony Whereof—I have hereunto set my hand and caused to be affixed the Great seal of
(Seal) the State of Missouri: Done at the City of Jefferson this 27th. day of November AD 1885.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

DECEMBER 19, 1885

From the Register of Civil Proceedings, 1885-1888, p. 52

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Joseph Finn is charged by indictment with the murder of Katie Innmann in the county of Gasconade,

and has fled from justice and cannot be arrested by ordinary process of law, Now Therefore I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and conviction of said Joseph Finn of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the city of Jefferson this 19th day of December AD 1885.

John S. Marmaduke.

By the Governor:
Mich'l K. McGrath,
Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

January 2, 1886

From the Register of Civil Proceedings, 1885-1888, pp. 170-171

The State of Missouri: To all who shall see these presents: Greetings:

Know ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said State, as trustee for the State School Fund of said state, in the sum of Two thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually at the rate of five percentum per annum, out of any money in the State treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year, and applied to the maintenance of free public schools in the State of Missouri as provided by law. This certificate of indebtedness represents certain sums of money paid into the State treasury and

placed to the credit of the State School Fund, by virtue of an act of the General Assembly of the State of Missouri entitled "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more," Approved March 24, 1881, said sums of money were derived from Notaries public appointed in cities containing one hundred thousand inhabitants or more, as provided in said act of March 24, 1881. This certificate is non-negotiable, and is issued in compliance with an act of the General Assembly of the State of Missouri, approved March 31, 1883, entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the Public School Fund or the seminary fund of the State, or that may hereafter be paid into the State treasury etc."

In Witness Whereof I have hereunto set my hand and caused to be affixed the great seal of the
(Seal) state of Missouri. Done at office in the city of Jefferson Missouri, this 2nd day of January 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State

ON REMOVAL OF DISABILITIES

JANUARY 7, 1886

From the Register of Civil Proceedings, 1885-1888, p. 60

State of Missouri: To all who shall see these presents: Greeting:

Know Ye That—WHEREAS Charles D. Elges was at the July special term 1885 of the circuit court of Henry county, convicted on six several indictments for selling liquor without license, and sentenced to pay a fine of forty dollars in

each case; and the said Charles D. Elges having paid said fines, and costs—

Now THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Charles D. Elges by reason of the convictions and sentences aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this seventh day of January in the
(Seal) year of Our Lord One thousand eight hundred and eighty six, of the Independence of the United States the one hundred and tenth and of the state of Missouri the sixty sixth—

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON REMOVAL OF DISABILITIES

JANUARY 7, 1886

From the Register of Civil Proceedings, 1885-1888, pp. 60-61

State of Missouri, To all who shall see these presents—Greeting:

Know Ye That WHEREAS John Hutchinson was at the September term 1885 of the circuit court of Henry county, convicted on three several indictments for selling liquor without license, and sentenced to pay a fine of forty dollars in each case; and the said John Hutchinson having paid said fines and costs

Now, THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do

hereby remove the disabilities imposed upon the said John Hutchinson by reason of the convictions and sentences aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri: Done at the city of Jefferson this seventh day of January in the year
(Seal) of our Lord One thousand eight hundred and eighty six. Of the independence of the United States the one hundred and tenth and of the State of Missouri the sixty-sixth.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE RESUMING OF RAILROAD TRAFFIC

MARCH 24, 1886

From the Register of Civil Proceedings, 1885-1888, pp. 100-102

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

The internal Commerce of the State of Missouri is carried on almost entirely by railroad. The roads are owned by private corporations, belonging to that class of persons whose property is subject to a public use, and that use is in this case as a thoroughfare of "public highway," as defined in section 14 article 12 of our State Constitution. Railroad companies are declared by the same section of the constitution to be "common carriers". As such it is their duty to receive all passengers and freight that are offered, transport the same with reasonable dispatch, and in general terms to deliver them uninjured at their point of destination. In order that these public highways may be opened and these common carriers established in business upon them, the state has granted to these companies

the privileges of incorporation whereby their stockholders, after paying in the par value of their stock, are exempt from any further liability to the company or to its creditors, no matter what amount of debt may be incurred by it. They are also authorized to issue stock to the full amount of the cost of their property, and a bonded debt to an equal amount more: In addition, the state and its lesser public corporations, such as cities, counties and townships, have subsidized these companies so liberally that in some localities public debts were created therefor; to pay which generations to come will have to be taxed. To crown all, the state has exerted in their favor its right of eminent domain, by condemning private property for their use, which act alone stamps their property with an indelible mark signifying—*devoted to a public use.* In return for all these privileges, immunities and favors the state claims nothing, except that her people shall have the use of the transportation facilities thus created and provided, in the manner indicated by their constitutional and other legal rights. The right to the enjoyment of this use by the people is paramount, ought to be and shall be respected. The railroad companies themselves have, by accepting these conditions, assumed the responsibility of securing to the people this enjoyment, every stockholder in these companies has knowingly assumed his share of that responsibility, and every employe from president to track-man has knowingly entered a service on which this responsibility rests, and has voluntarily assumed the actual performance of a part of the duties incident thereto. The lines operated by the Missouri Pacific Railway Company carry nearly one third of all the railroad traffic of Missouri. On these lines no freight has been moved during the last 17 days. Thousands of tons are stopped in transit, and the people are consequently suffering enormous inconvenience, damage and loss. This is caused by the refusal of a part of the employes of said company to perform their duty, or to allow others to take their places. It is alleged that there are unsettled griev-

ances of some sort between them and the chief executive officers; which is to say, that there is some disagreement between two classes of employes of the same company. In the eye of the law they are all component parts of the same organization; and they must settle whatever differences there may be among themselves in some other way than by inflicting upon the people of the state the incalculable injury which this stoppage of the freight traffic involves.

WHEREFORE I, John S. Marmaduke, governor of the state of Missouri, by virtue of the authority in me vested do hereby call upon the Missouri Pacific Railway company, and upon all its officers, agents and employes of every grade, each in their several capacities, to assist in resuming traffic of all kinds, in the usual way, on all the railroad lines operated by said company in Missouri, and I warn all persons, whether they be employes or not, against interposing any obstacle of any kind whatever, in the way of said resumption; And with a firm reliance upon the courage, good sense and law abiding spirit of the public, I hereby call upon all good citizens to assist in carrying out the purposes of this proclamation; and I also hereby pledge the whole power of the state, so far as it may be lawfully wielded by its chief executive officer, to sustain said company and its servants in said resumption, and to restrain and punish all that may oppose it.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 24th day of March A. D. 1886.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

MAY 25, 1886

From the Register of Civil Proceedings, 1885-1888, p. 132

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that, on May 21, 1886, Mrs. Sarah E. Sparks was assaulted and the crime of rape committed upon her person, in the county of Morgan, by two men, whose names are to me unknown, and who have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One Hundred dollars for the arrest of each one of said unknown parties, payable upon identification.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State (Seal) of Missouri. Done at the City of Jefferson this 25th day of May A. D. 1886.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,
Secretary of State.

ON REMOVAL OF DISABILITIES

JUNE 2, 1886

From the Register of Civil Proceedings, 1885-1888, pp. 138-139

The State of Missouri, To all who shall see these presents—Greeting:

Know Ye that WHEREAS Jesse Coulter was at the May term 1886 of the circuit court of Atchison county, convicted of selling liquor on Sunday and sentenced to

pay a fine of fifty dollars, and the said Jesse Coulter having paid said fine. NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Jesse Coulter by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of
(Seal) Jefferson in the year of Our Lord one thousand eight hundred and eighty-six, of the independence of the United States the One hundred and tenth and of the State of Missouri the sixty-sixth.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

AUGUST 25, 1886

From the Register of Civil Proceedings, 1885-1888, p. 179

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Boston Fenders is charged with the murder of James McCracken, in the county of Worth, and has fled from justice, and cannot be arrested by ordinary process of law—

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of two hundred dollars for the arrest and delivery of said Boston Fenders to the sheriff of said county

of Worth, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this Twenty fifth day of August 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

AUGUST 26, 1886

From the Register of Civil Proceedings, 1885-1888, p. 180

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Ellis Westover is charged with killing Nelson Bowser in the county of Jefferson on the 4th day of August 1886, and has fled from justice, and cannot be arrested by ordinary process of law. NOW THEREFORE, I, John S. Marmaduke, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said Ellis Westover to the sheriff of said county of Jefferson, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson on this 26th day of August 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

SEPTEMBER 11, 1886

From the Register of Civil Proceedings, 1885-1888, p. 190

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—John A. Gamble is charged with the murder of Jeff. Cluck in the county of Platte, and has fled from justice, and can not be arrested by ordinary process of law.

NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said John A. Gamble to the sheriff of said county of Platte, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the Great Seal of the State (Seal) of Missouri. Done at the city of Jefferson this 11th day of September A. D. 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

SEPTEMBER 30, 1886

From the Register of Civil Proceedings, 1885-1888, p. 199

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on the night of the 21st day of September 1886 Malcolm Logan, his wife and four children were murdered in Crawford county by some person or persons to me unknown and who

have [fled] from justice and can not be arrested by ordinary process of law: NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Three hundred dollars for the arrest and conviction of the unknown murderer or murderers of the parties aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the Great Seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 30th day of September A. D. 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE ENFORCEMENT OF THE CATTLE QUARANTINE

OCTOBER 4, 1886

From the Register of Civil Proceedings, 1885-1888, p. 201

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
October 4, 1886.

WHEREAS The State Board of Health has declared that there is a malignant infectious or contagious disease known as pleuro-pneumonia, epidemic among cattle in certain portions of the country and have "Established quarantine against the introduction into Missouri, by any person, transportation company or other corporation, of any cattle from the counties of Lake, Cook, Du Page, Kane, Kendall, Will, Kankakee and Iroquois in the State of Illinois, or the counties of Newton, Jasper, Lake, Porter and LaPorte, in the State of Indiana, or the State of Ohio, or the Province of Quebec, Canada, for a period of ninety days next ensuing," and: Whereas, The said Board of Health has requested

me to issue my proclamation and take such other action to enforce said quarantine as may be found necessary and expedient.

NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, do hereby warn and caution all persons, transportation companies and other corporations against introducing into this state any cattle from the portions of country named in the quarantine established by said State Board of Health, for a period of ninety days next ensuing, and I hereby call upon and direct all sheriffs, constables and other executive officers of this state to assist in enforcing said quarantine and in protecting this state against the introduction of such disease.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State.
(Seal) Done at the city of Jefferson this 4th day of October 1886.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,
Secretary of State.

REVOKING CATTLE QUARANTINE AGAINST CERTAIN LOCALITIES

OCTOBER 12, 1886

From the Register of Civil Proceedings, 1885-1888, p. 205

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to the president of the State Board of Health, that all the cattle that were diseased with or exposed to pleuro-pneumonia in the Province of Quebec, Canada, have been slaughtered and the premises thoroughly disinfected; and that what was thought to be pleuro-pneumonia in Ohio has proven to have been some other disease, the governor of Ohio produc-

ing satisfactory official evidence that no pleuro pneumonia has appeared in such state since 1884: And WHEREAS, the president of said State Board of Health has given me notice of the revocation of so much of the quarantine established by said board on the 2nd day of October 1886 as applied to the Province of Quebec, Canada, and the State of Ohio, NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, do hereby exempt the province of Quebec, Canada, and the state of Ohio from the terms of my proclamation of October 4th, 1886, and declare that healthy cattle may be brought into this state from those countries without let or hindrance.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal (Seal) of the State of Missouri. Done at the city of Jefferson this twelfth day of October A. D. 1886.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

NOVEMBER 9, 1886

From the Register of Civil Proceedings, 1885-1888, p. 223

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Webster Jackson is charged with the murder of Alexander McVickers in the county of Franklin, and has fled from justice and can not be arrested by ordinary process of law. NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of two hundred dollars for the arrest and delivery of said Webster Jackson to the sheriff of said

county of Franklin at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 9th day of November A. D. 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THANKSGIVING

NOVEMBER 10, 1886

From the Register of Civil Proceedings, 1885-1888, p. 234

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

I John S. Marmaduke, governor of the State of Missouri, do hereby set apart Thursday, the 25th day of November as a day of Public Thanksgiving. On that day let all our people forego our accustomed employments and devote the day to manifesting our thanks to the Ruler of the Universe for our continued enjoyment of the liberty of a free people, for a renewal of business prosperity, for the bountiful return which has rewarded the industrious laborer, and for our progress in all that makes a state great and insures good government.

Let us, with our thanksgiving, remember the poor and needy with cheerful gifts and alms.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) state of Missouri. Done at the city of Jefferson this 10th day of November, 1886.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE DEATH OF JOHN S. PHELPS

NOVEMBER 24, 1886

From the Register of Civil Proceedings, 1885-1888, p. 269

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

More than forty years ago the people of Missouri elected Hon. John S. Phelps a member of congress as representative at large. From that time until the end of his term as governor in 1881, he was continuously in the service of the people in positions of high trust.

During all those years he discharged the duties resting upon him with a faithfulness, ability and sturdiness of purpose that won and held the confidence and admiration of the whole people.

On the 20th inst. he died. On the 27th inst. he will be buried. In life he served us so long and so well it is meet that in death we do him honor.

NOW THEREFORE, I, John S. Marmaduke, governor of the State of Missouri, do recommend that all public offices be closed, and the state flag be placed at half mast on Saturday November 27th 1886.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 24th day of November 1886.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

FEBRUARY 23, 1887

From the Register of Civil Proceedings, 1885-1888, p. 313

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on October ninth 1886 Mrs. Etta Williams was murdered in the county of Texas by some person to me unknown and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and conviction of the person who committed the crime aforesaid.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri—Done at the city of Jefferson this twenty third day of February A. D. 1887.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,
Secretary of State.

CALLING AN EXTRA SESSION OF THE GENERAL ASSEMBLY

MARCH 25, 1887

From the Register of Civil Proceedings, 1885-1888, p. 332

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

By virtue of authority in me vested by the constitution of the State of Missouri, I, John S. Marmaduke, governor of the State of Missouri, do hereby convene the Thirty

fourth General Assembly of the State of Missouri in Extra Session and I do hereby call upon the senators and representatives of the general assembly aforesaid to meet in their respective places in the capitol in the city of Jefferson at the hour of 12 O'clock M. on Wednesday the Eleventh day of May A. D. 1887, for the following purposes: To provide the legislative enactments necessary or expedient to enforce and execute those laws and principles with reference to railroads and railroad companies which the people themselves have enacted and declared in their constitution: To make appropriation for the expenses of this extra session of the general assembly.

In Testimony Whereof I hereto set my hand and cause to be affixed the Great Seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 25th day of March AD. 1887.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

MAY 3, 1887

From the Register of Civil Proceedings, 1885-1888, p. 350

The State of Missouri: To all who shall see these presents:— Greeting:

Know Ye that—WHEREAS J. W. Hall was at the March term 1887 of the criminal court of Saline county convicted, on seven several indictments, of selling liquor without license and sentenced to pay a fine in each case, and the said J. W. Hall having paid said fines. NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri,

by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said J. W. Hall by reason of the convictions and sentences aforesaid.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this third day of May in the year of
(Seal) Our Lord One thousand eight hundred and eighty seven, of the Independence of the United States the one hundred and eleventh—and of the State of Missouri the sixty seventh.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON REMOVAL OF DISABILITIES

MAY 18, 1887

From the Register of Civil Proceedings, 1885-1888, pp. 357-358

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that WHEREAS A. J. Price and S. R. Wall were, at the March term 1887 of the criminal court of Saline county convicted of selling liquor to a minor and each was sentenced to pay a fine of fifty dollars; and the said A. J. Price and S. R. Wall having paid said fines: NOW THEREFORE, I, John S. Marmaduke governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said A. J. Price and S. R. Wall by reason of the conviction and sentences aforesaid.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this eighteenth day of May in the year
(Seal) of Our Lord one thousand eight hundred and eighty-seven, of the Independence of the United States the one hundred and eleventh and of the State of Missouri the sixty seventh.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

MAY 19, 1887

From the Register of Civil Proceedings, 1885-1888, p. 358

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, James Moore, is charged with the murder of J. L. Burks in the county of Cooper, on the night of May 12th inst., and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said James Moore to the sheriff of said county of Cooper at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the city of Jefferson this nineteenth day of May 1887.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON REMOVAL OF DISABILITIES

JUNE 16, 1887

From the Register of Civil Proceedings, 1885-1888, p. 373

The State of Missouri: To all who shall see these presents—Greeting:

Know Ye that, WHEREAS, C. O. McKee was, at the April term 1887 of the circuit court of Henry county convicted of selling liquor to a minor and sentenced to pay a fine of fifty dollars, and the said C. O. McKee having paid said fine. Now THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said C. O. McKee by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this 16th day of June in the year of
(Seal) Our Lord one thousand eight hundred and eighty seven, of the independence of the United States the One hundred and eleventh and of the State of Missouri the sixty seventh.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

JULY 6, 1887

From the Register of Civil Proceedings, 1885-1888, p. 384

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Charles Autenreith is charged with having committed the crimes of murder and incest in the county of Montgomery and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby offer a reward of Three Hundred Dollars for the arrest and conviction of the said Charles Autenreith of the crime aforesaid.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 6th day of July A. D. 1887.

JOHN S. MARMADUKE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

SUSPENDING THE SENTENCE AND EXECUTION OF JOHN HAYES

JULY 12, 1887

From the Register of Civil Proceedings, 1885-1888, p. 386

The State of Missouri, to all who shall see these presents, Greeting:

Know Ye That WHEREAS John Hayes, convicted of murder in the first degree in the St. Louis criminal court, and sentenced to be hanged on the 8th day of July A. D.

1887, was, on the 28th day of June A. D. 1887, by the verdict of a Jury De Lunatico Inquirendo declared to be insane. Now THEREFORE I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested by law, do hereby suspend the execution of the said sentence of death of the said John Hayes and by these presents do order and direct the sheriff of the City of St. Louis to convey the said John Hays to the Lunatic Asylum of the City of St. Louis there to be kept until restored to reason.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this twelfth day of July in the year of
(Seal) Our Lord One thousand eight hundred and eighty seven. Of the Independence of the United States the One hundred and twelfth and of the State of Missouri the sixty eighth—

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

AUGUST 4, 1887

From the Register of Civil Proceedings, 1885-1888, p. 397

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Fletcher Franklin and "Coon" Franklin are charged with having committed the crime of murder in the county of Atchison on the 29th day of July 1887, and have fled from justice, and cannot be arrested by ordinary process of law.

Now Therefore, I, Albert P. Morehouse, Lieutenant and acting governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars each for the arrest and delivery of said Fletcher Franklin and Coon Franklin to the sheriff of said county of Atchison at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 4th day of August A. D. 1887.

Albert P. Morehouse.

By the Lieutenant and Acting Governor:

Mich'l K. McGrath,

Secretary of State.

OFFERING A REWARD

August 26, 1887

From the Register of Civil Proceedings, 1885-1888, p. 409

State of Missouri, Executive Department.

Whereas William, Thomas, Abbott, West, is charged with the seduction and murder of Susie or Annie Beck in the city of St. Louis on July 18th 1887 and has fled from justice and cannot be arrested by ordinary process of law. Now, Therefore, I, Albert P. Morehouse, Lieutenant and acting governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and delivery of said Williams, Thomas, Abbott, West, to the sheriff of the city of St. Louis, at St. Louis, Missouri, at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 26th day of August AD 1887.

ALBERT P. MOREHOUSE.

By the Lieutenant and Acting Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

SEPTEMBER 26, 1887

From the Register of Civil Proceedings, 1885-1888, p. 426

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—William Nichols is charged with the murder of Allen Powers in the county of Pulaski, on August 13th 1887, and has fled from justice, and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Albert P. Morehouse, lieutenant and acting governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Seventy-five dollars for the arrest and delivery of said William Nichols to the sheriff of Pulaski county, at Waynesville, at any time within one year from the date hereof, and a further reward of fifty dollars payable on the conviction of said William Nichols of the crime aforesaid.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 26th day of September A. D. 1887.

ALBERT P. MOREHOUSE.

By the Lieutenant and Acting Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

SEPTEMBER 26, 1887

From the Register of Civil Proceedings, 1885-1888, pp. 426-427

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John A. Gamble is charged with the murder of Jefferson Cluck in the county of Platte, and has fled from justice, and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Albert P. Morehouse, lieutenant and acting governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said John A. Gamble to the sheriff of Platte county, at Platte City, the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the state of (Seal) Missouri. Done at the city of Jefferson this 26th day of September A. D. 1887.

ALBERT P. MOREHOUSE.

By the Lieutenant and Acting Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

OCTOBER 15, 1887

From the Register of Civil Proceedings, 1885-1888, p. 436

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Charles R. Carter has been convicted of murder in the first degree, in the county of Lawrence and has escaped and fled from justice, and cannot be arrested by ordinary process of law.

Now Therefore I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and delivery of said Charles R. Carter to the sheriff of said county of Lawrence at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the state of
(Seal) Missouri. Done at the city of Jefferson this 15th day of October A. D. 1887.

John S. Marmaduke.

By the Governor:

Mich'l K. McGrath,

Secretary of State.

OFFERING A REWARD

October 20, 1887

From the Register of Civil Proceedings, 1885-1888, p. 438

State of Missouri, Executive Department.

Whereas—George W. Middleton has been convicted of murder in the county of Taney, and has escaped and fled from justice, and cannot be arrested by ordinary process of law,

Now Therefore, I, John S. Marmaduke, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and delivery of said George Middleton to the warden of the Missouri State Penitentiary, at Jefferson City at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 20th day of October AD. 1887.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

OFFERING A REWARD

OCTOBER 26, 1887

From the Register of Civil Proceedings, 1885-1888, p. 441

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Abe Fry is charged with killing Augustus Price in the county of Saline and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Marmaduke, governor of the State of Missouri, in virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Abe Fry to the sheriff of said county of Saline, at the county seat thereof, at any time within one year from the date of these presents:

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this twenty sixth day of October A. D. 1887.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

ON THANKSGIVING

NOVEMBER 1, 1887

From the Register of Civil Proceedings, 1885-1888, p. 444

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

It is a beautiful and laudable custom of our people to devote a day in each year to prayer and praises to God for the great blessings we enjoy.

I therefore designate Thursday the 24th day of November as Thanksgiving Day and I recommend that all the people of Missouri, on that day, forego their usual avocations, and by deeds of charity and neighborly kindness make it in deed a day of Universal Thanksgiving.

In Testimony Whereof I hereto set my hand and cause to be affixed the Great Seal of the State of
(Seal) Missouri. Done at the City of Jefferson this first day of November A. D. 1887.

JOHN S. MARMADUKE.

By the Governor:

MICH'L K. MCGRATH,

Secretary of State.

MEMORANDA OF PROCLAMATIONS AND WRITS OF ELECTION

FEBRUARY 7, 1885

From the Register of Civil Proceedings, 1882-1885, p. 514

The Governor issued a writ of election to the sheriff of Platte county ordering a special election to be held in said county on the 21st day of February 1885 for the purpose of electing a representative in the thirty third General Assembly from said county to fill the vacancy therein caused by the death of the Honorable James Adkins.

OCTOBER 4, 1886

From the Register of Civil Proceedings, 1885-1888, p. 202

The Governor issued writs of election to the sheriffs of the counties of Randolph, Macon, Adair and Schuyler, composing the Seventh Senatorial District, ordering a special election to be held in said counties on Tuesday, the second day of November 1886, for the purpose of electing a state senator from said seventh senatorial district to fill the vacancy therein caused by the death of the Hon. William M. Van Cleve; and requiring ten days notice to be given by said sheriffs of the special election aforesaid.

APRIL 4, 1887

From the Register of Civil Proceedings, 1885-1888, p. 335

The Governor issued a writ of election to the sheriff of New Madrid county ordering an election to be held therein on the 19th day of April 1887, for the purpose of electing a

representative from said county in the Thirty Fourth General Assembly, to fill the vacancy therein caused by the resignation of Honorable Albert J. Moore—and requiring ten days notice of the time of said election to be given by said sheriff.

APRIL 30, 1887

From the Register of Civil Proceedings, 1885-1888, p. 348

The Governor issued writs of election to the sheriffs of the counties of Lafayette and Johnson ordering an election to be held in said counties on the 12th day of May 1887 for the election of a state senator from the Seventeenth senatorial district to fill the vacancy in said district caused by the resignation of Honorable John P. Harmon.

GOVERNOR ALBERT P. MOREHOUSE

ALBERT P. MOREHOUSE
Governor 1887-1889

ALBERT P. MOREHOUSE

BY

NATHANIEL SISSON

The subject of this sketch, the eldest of a family of eight, was the son of Stephen Morehouse, Jr., a native of Newark county, New Jersey, and of Harriett Wood Morehouse, daughter of Russell Wood, a native of New York. At an early date Stephen Morehouse settled in Delaware county, Ohio, in which county Albert P. was born July 11th, 1835. He was reared on a farm, educated in the public schools, and in his eighteenth year qualified as a school teacher. He came with his father and family to Nodaway county, Missouri, in the year 1856. His father, afterwards known as Judge Morehouse, settled upon a fine farm of 320 acres located some eight or nine miles north of Maryville.

The Morehouse family was among the pioneer settlers. The country all about their homestead for miles was wild, uninhabited prairie, interspersed with groves of timber along the streams. Only here and there was a settler's log cabin and scarcely a fenced farm, as all fences then had to be made from rails split from timber of oak, hickory and black walnut found in the occasional groves. At this period and for several years thereafter the country abounded in wild game, deer, turkey and prairie chickens. Stephen Morehouse, his father, being a man of mature years and of sound judgment, was called upon by the people to serve in various public offices. He was elected county judge in 1858 and judge of probate of the county in 1874. Albert P. having qualified as a teacher, followed that occupation for a time, also industriously applying himself in reading law. In 1860 he was admitted to the bar, and immediately entered upon the practice of his profession in Montgomery county, Iowa. Returning to Missouri in 1861, he was commissioned a first lieutenant in Colonel Kimball's regiment of Enrolled Militia, in which he served until its disbandment.

In 1862 he formed a law partnership with Colonel Amos Graham, one of the pioneers and a leading citizen of the county, whose wife, Mary Graham, was honored by the naming of Maryville, the county seat. For the establishment of the institution at Maryville which became the Northwest Missouri State Teachers College, Morehouse was an ardent laborer, both when representative and when lieutenant governor. While this institution was not established until after his death, nevertheless much credit is due his memory for his zealous advocacy when opportunity presented.

His founding of the *Nodaway Democrat* at Maryville, in 1869, illustrates in a marked degree the generous character of his mind. At the close of the Civil war, the people of the State adopted a new Constitution, which disqualified from voting all citizens except the old unconditional Union men. Many of Missouri's otherwise good citizens found themselves disfranchised. This condition gave rise to the necessity of a change in the Constitution to enable these people to participate in their local public affairs. In the advocacy of this change, Morehouse established his newspaper. This move illustrates well a leading characteristic of the man. He was sympathetic and generous throughout his whole career and practiced charity and good fellowship.

The question of re-enfranchisement came squarely before the people of the State by the submission of a constitutional amendment at the election of 1870. The amendment was adopted. Naturally the popularity and prestige of the paper and its editor was enhanced. From this time the local political leadership of Morehouse went unquestioned. He was sent as a delegate to the national convention at Baltimore in 1872, again at St. Louis in 1876, representative of his county in the General Assembly in 1877-1878, and again in 1883-1884. In 1884 he was elected lieutenant governor on the ticket with John S. Marmaduke, thereby becoming the presiding officer of the State Senate. In this position he won an enviable reputation by his wise selection of committees and his fair and impartial rulings.

Upon the death of Governor Marmaduke in December, 1887, he succeeded to the office of governor, serving out the unexpired term of Marmaduke. He proved a wise and excellent chief executive, winning the plaudits of all good citizens.

Albert P. Morehouse was married in 1865 to Miss Mattie McFadden, of Lexington, Missouri. From this union there were born three children, Nannie, who married Archie D. Neale, an attorney at Chetopa, Kansas, where they now reside; Anna, who married W. W. Gitting, both now deceased; and Edwin V., now deceased. The wife and mother died at Maryville on January 10th, 1900.

In 1865, upon the death of Colonel Graham, his law partner, Morehouse formed a law and real estate partnership with Mathew G. Roseberry, who was later elected to the State Senate. Soon thereafter they relinquished the practice of law and Roseberry retired. Morehouse continued the real estate and abstract business, and added a farm loan business. In 1875, Nathaniel Sisson, a young civil engineer, and Hart C. Fisher, president of the Farmers Bank, joined him under the firm name of Morehouse, Sisson & Co. During this period Morehouse assisted in organizing the Nodaway County Agricultural and Mechanical Association, and became its secretary and general manager.

After his retirement from public life in 1889 Governor Morehouse devoted himself to his farming operations. In September, 1891, while driving cattle he suffered from heat prostration and ruptured a blood vessel of the brain. He later became delirious and fearing that his ailment might lead to insanity, he took his life on September 23rd.

BIENNIAL MESSAGE

JANUARY 3, 1889

From the Appendix to the Journals of the General Assembly, 1889

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 3, 1889.

Gentlemen of the Senate and House of Representatives:

In obedience to the requirements of the constitution of the State, I have the honor to submit herewith for your consideration such information of the condition of the State and such other measures as I deem expedient.

Since the adjournment of the Thirty-fourth General Assembly, the people of Missouri have been called upon to mourn the loss of one of their most illustrious citizens, purest men and best Governors.

Governor Marmaduke's administration of the affairs of the State was marked with rigid economy, strict integrity and high order of ability that was the admiration of his friends and a surprise to his enemies. He had no motive but to do right and no ambition but to make a good executive. He was fearless to execute and just in his mercies. So that when on the 28th day of December, 1887, death claimed him for its own, no citizen was more honored and no Governor had been more respected.

Upon the death of Governor Marmaduke, the "powers, duties and emoluments of" Governor "devolved upon" me as Lieutenant-Governor. In the discharge of the onerous and intricate duties pertaining to this office, I have endeavored to continue the administration of my illustrious predecessor. How well I have succeeded let the intelligent public judge.

The State at large has enjoyed unusual prosperity in the past four years. Immigration has been attracted by our even and temperate climate, our cheap and fertile soil,

our rich and limitless mines of iron, coal, zinc, lead, etc., our valuable and extensive forests of timber, and by the hearty welcome extended all good people from every State and country who desire to come amongst us to assist in our development and enjoy our prosperity. We have no means of ascertaining our increase in population since the last federal census, except by the rapid growth of our cities and towns, the settlement of the country and the increase in the voting population. The growth of many of our cities and towns has been marvelous, vast tracts of unimproved land have been put in cultivation, and over 80,000 more votes were polled at the last election than four years ago. This would reasonably indicate that our population has increased in the past four years some 400,000, and I do not think I overestimate to say that the census of 1890 will show that Missouri has a population of 3,000,000 people. Notwithstanding the tribute paid to corporate monopolies and the no less exacting modern combination known as trusts and syndicates, our people have added to their taxable wealth in the past four years $63,407,768. The assessors of the several counties reported the increased wealth of the State at vastly more than this, but the State Board of Equalization reduced the assessment over $50,000,000 during the past year. 1,176 miles of railroad have been constructed and put in operation in the State in the past four years, which is more than was constructed in either the period from 1876 to 1880, or from 1880 to 1884. But twelve counties in the State are now without railroads, and most of them within the next four years will be joined to the outer world by the iron belt of the nineteenth century. During the present administration more money has been appropriated by the legislature for the erection of institutions for the care of the unfortunate and depraved humanity than ever before in the same length of time in the history of the State; and the facilities for this purpose are well perfected, except, perhaps, in the penitentiary. Our system of public schools and our higher educational institutions are the pride of our people and afford facilities and opportunities for the

education of our youth equaled by few and surpassed by none of our sister States. Our laws have been faithfully executed and the commission of crime is no more frequent than in other States in proportion to our population. Our public debt is being rapidly extinguished and taxation is not burdensome. In fact, in no period of the State's history has prosperity taken a wider range or been more lavish in her gifts. The pen that would write, or the lips that would pronounce to our discredit, "Poor old Missouri!" libels our good people and crucifies the truth.

REVISION

It will be the duty of the Thirty-fifth General Assembly to revise our statute laws, and for this purpose the constitution has given you one hundred and twenty days. This will be the most important work of the session and should be well done. There are, perhaps, more conflicts and laws of doubtful meaning needing judicial construction in our present statutes than any former statutes of our State. It is very doubtful if the work, in addition to the labor of an ordinary session, can be successfully accomplished directly by the legislature in the time and manner contemplated by the constitution. The last revising Legislature was in session one hundred and thirty-three days, and performed the work of revision themselves, with the exception of collating and annotating the statutes, which was performed by a committee appointed by the Legislature for that purpose. Several months were occupied by that committee in this work. Should you conclude it to be the best interest of the State to pursue this method of revision, the same result may be expected as was accomplished ten years ago.

In my judgment it would be in the interest of economy and a good revision for the Legislature to pass the appropriation bills and such other legislation as is of immediate necessity, authorize by law the appointment of a commission on revision, and adjourn *sine die*. After the committee has concluded its work the Governor would convene the Legislature, who could then legally revise the statutes by correcting

and adopting the work of a good committee in one-fourth the time they could do the same work themselves. The expense of the two sessions and the pay of the committee need not be more than the pay of the Legislature for one hundred and twenty days, and the work would be much better done.

TREASURY DEPARTMENT

No subject can be of more interest to the people of a commonwealth than a statement of how their public servants have managed their finances. As a rule, a State in which its monetary affairs are conducted with economy and in the interest of the people, is well administered and will receive the support of its best citizens. I trust the following statement of this branch of the public service will meet the approbation of the people of Missouri.

By wise laws enacted by the Legislature and a faithful execution of them by the State officials during the past four years, the fees received and accounted for in the several State departments, and the interest paid on the surplus money in the State Treasury by the Bank of Commerce, amount to nearly $300,000. This has paid the salaries and for deputies and assistants for the offices of Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Superintendent of Public Schools, Register of Lands, Railroad Commissioner, Adjutant-General and Commissioner of Permanent Seat of Government, and left a balance from this source in the treasury of $30,000. In other words, these officials have not cost the tax-payers of the State one dollar for the past four years, but have earned for them $30,000. These fees and revenues have been received by the following officers:

Secretary of State	$262,350
Auditor	2,281
Register of Lands	2,304
Adjutant-General	543
Treasurer, interest on surplus	31,060
Total	$298,538

On the 1st of January, 1885, the bonded State debt, not including the common school and seminary indebtedness, which we owe to ourselves and cannot properly be considered a debt, was $11,803,000
On the first of January, 1889, it was.... ... 9,525,000

Amount paid in four years $2,278,000

The debt in 1885 was drawing interest at 6 per cent. per annum, amounting to $708,180. Since January 1, 1885, $9,278,000 of this debt matured; $7,000,000 have been funded in 5-20 bonds bearing interest at three and one-half per cent.; the balance as stated has been paid. The seven million dollars in bonds sold for a premium of $86,321.45. The interest on our public debt proper is now $396,500 per annum, or nearly one-half less than it was four years ago. The school fund indebtedness consists of one 6 per cent. certificate for $2,909,000 and three 5 per cent. certificates aggregating $225,000. The seminary fund consists of one 6 per cent. certificate for $122,000 and one 5 per cent. certificate for $407,000. During the past year, the heirs of the late Hon. James S. Rollins, in accordance with his expressed wishes, deposited with the State Treasurer the sum of $6,000 for the purpose of establishing the "James S. Rollins University scholarships"—the interest on said amount at 5 per cent. to be paid to six university students as a reward of merit for proficiency in six different departments. For the purpose of carrying out this bequest, as provided by law, the Fund Commissioners issued to the University faculty a certificate of indebtedness payable in twenty years at 5 per cent. interest. The obligations on which the State is paying interest are as follows:

State debt proper 3½ per cent	$9,225,000,	Interest,	$396,500
School fund certificate 6 per cent.	2,909,000	"	174,540
School fund certificate 5 per cent.	225,000	"	11,250
Seminary fund certificate 6 per cent	122,000	"	7,320
Seminary fund certificate 5 per cent	407,000	"	20,350
Rollins bequest 5 per cent	6,000	"	300
Totals	$13,194,000		$610,260

Missouri needs no financial policy in the future. If the present rate of taxation is maintained of twenty cents on the one hunred dollars valuation, for the purpose of paying the public debt and the interest thereon, the State debt proper will be paid in eight or nine years. Every obligation will be paid at or before maturity. There was in the treasury to the credit of the interest fund on the first day of the present year, after paying all interest and due obligations, the sum of $330,025.75. The net receipts to this fund the present year will be at least $1,450,000, which with the amount in the treasury will make $1,780,000 applicable to the payment of interest and principal of the public debt for the year 1889. Our public debt may be reduced the present year $1,100,000. The next general assessment of taxable property in the State will probably aggregate $900,000,000, when by provisions of the Constitution the tax levy for the purpose of paying the public debt and the interest thereon will be reduced to fifteen cents on the hundred dollars, which will be ample to meet all obligations of the State for this purpose. In fact, within the next four years the State interest tax can be reduced to ten cents on the one hundred dollars and meet every obligation now outstanding at maturity.

Extraordinary appropriations chargeable to the State Revenue fund have been made in the past four years as follows:

For improvement State University	$59,161 00
For improvement School of Mines and Metallurgy	10,000 00
For improvement three Normal Schools	39,118 50
For improvement of Agricultural College	24,750 00
For improvement of Lincoln Institute	10,500 00
For improvement Deaf and Dumb School	21,300 00
For improvement Lunatic Asylum No. 1	104,700 00
For improvement Lunatic Asylum No. 2	165,000 00
For building Lunatic Asylum No. 3	349,000 00
For building Reform School for Boys	52,000 00
For building Industrial Home for Girls	50,000 00
For improvements to penitentiary	220,000 00
For improvements to State capitol	250,000 00
Total	$1,355,529 50

All these appropriations have been expended except $82,741.54 of the fund for improvement to the penitentiary; and from personal examinations of all these improvements, as well as the new buildings, I am satisfied that the money has been prudently and economically expended.

For further information relative to the matters pertaining to the Treasury department more in detail, you are respectfully referred to the reports of the Auditor and Treasurer.

PUBLIC EDUCATION

There is no question of public policy in which the people are more interested, nor to which your careful consideration should be directed with more earnest solicitude and intelligence, than our system of public education. As already remarked, Missouri may well be proud of her educational facilities and institutions, yet I would not be understood as saying that we have arrived at the acme in our educational matters. We have kept fully abreast of the times, but there is ample opportunity to make improvements, and I trust they will continue to receive the fostering care of the present and future Legislatures.

Our people always have and will continue to sustain a liberal and advancing encouragement of our public schools. During the past four years, more than one hundred thousand children have been added to our public schools, and the number is now 865,000. Our permanent interest bearing school fund on the 1st day of July, 1888, was $10,538,129.08, and the sum actually paid out by our people in the support of our public schools for the year ending June 30th, 1888, was $4,843,323.15. The Thirty-fourth General Assembly appropriated to the common schools one-third instead of one-fourth of the general revenue, as had been done by former Legislatures.

This cost the State over $50,000 and only benefited the school children 7½ cents each. It is doubtful if this small amount benefited the schools as much as it depressed the finances of the State.

NORMAL SCHOOLS

The Normal schools are doing good work, and whilst not all the pupils who receive the benefits of these institutions become teachers, a large proportion of them do and are now supplying the district schools with capable and efficient teachers.

If the policy of the State support of Normal schools is continued as a means of educating and preparing teachers, all portions of the State have a right to have these benefits put within their reach, and I would suggest the propriety of establishing two more Normal school districts, one in northwest and one in southwest Missouri. Seventy-five per cent. of the pupils attending the present Normals are from the county in which the school is situated and the adjoining counties. I would also suggest that the State at large would be more benefited by placing the management of all the Normal schools under the control of one board, to be composed of, say one member from each Normal district.

LINCOLN INSTITUTE

This school is now attended by pupils from thirty-three different counties in the State, and should receive liberal encouragement at your hands. Professor Page and his assistants are capable and intelligent teachers, and are affording facilities for education equal to the other Normals in the State.

STATE UNIVERSITY AND AGRICULTURAL COLLEGE

The State university should be the pride of Missouri and the hope of her youth. The people have been so much impressed with the benefits to be derived from an educational institution of this character that they have in the Constitution recommended it to the fostering care of the Legislature. By an act of the General Assembly approved February 20th, 1870, the Agricultural and Mechanical college was established in connection with the university.

In my opinion this was a mistake that will never be mended until the Agricultural college is divorced from the university. As now mixed together, the university cripples the Agricultural college and *vica versa.*

Separate faculties should be maintained even if the Agricultural college is continued at Columbia. Both institutions would be of vastly more benefit if they were miles apart.

The dean of the Agricultural college is doing good and valuable work so far as experimental and scientific farming is concerned, but educating and training students for the practical pursuits in life have not and will not be the success they ought to be as long as the present state of affairs exists at Columbia.

SCHOOL FOR THE DEAF AND DUMB

The School for the Deaf and Dumb is one of the most deserving charities that enjoy Missouri's bounty, and is one of the best managed of our eleemosynary institutions. Very unfortunately for the State and for the school, most of the buildings belonging to the school were burned last February, entailing a loss to the State of more than one hundred thousand dollars.

The school-room, work-shops and boiler-house were saved, and by the erection of a temporary dining-room the school has continued, although under many disadvantages. Fortunately the board of managers had sixty-five thousand dollars' insurance on the buildings, which they have received from the insurance companies, and with it rebuilt the buildings as far as it would go.

Fire-proof buildings have been erected, and from personal examination, I am satisfied every dollar has been honestly and judiciously expended. You will be asked for and should appropriate sufficient money to put the school in as good or better condition than it was before the fire.

SCHOOL FOR THE BLIND

The State School for the Blind, located at St. Louis, continues to be well managed, and no class of unfortunates is more worthy of the fostering care of our State than the blind.

The liberal provisions made by former Legislatures for this school, I am sure will be repeated by you.

REFORM SCHOOLS

By acts of the Thirty-fourth General Assembly, much needed and long-delayed legislation was begun looking toward the restraining, reforming and educating juvenile offenders against the law, and the young who are incorrigible to an extent beyond parental control. By the provisions of those acts, an "Industrial Home for Girls" has been established at Chillicothe, and a "Reform School for Boys" at Boonville.

For the Chillicothe institution, the Legislature appropriated $5,000 for the purchase of grounds, $30,000 for the erection of suitable buildings, $5,000 for furnishing such buildings and incidental expenses and $10,000 for current expenses.

Besides the appropriations by the State, the citizens of Chillicothe contributed $5,000 to secure the location of the Home at that place. The Board of Control appointed by the Governor for the purpose of executing the provisions of the act, after visiting several similar institutions in different States, adopted the cottage or family plan, and have erected and completed beautiful and substantial buildings west of and adjoining the city of Chillicothe at a cost of $30,025, heated with steam, provided with gas, water etc. The buildings will accommodate fifty inmates. As soon as the present buildings are filled, other cottages may be built, and the board has taken this into consideration in the erection of the present buildings.

The steam heating capacity is sufficient for at least one more cottage. The Board of Control has drawn from the

State treasury all the appropriation except the fund for current expenses, of which, as the Home has been ready for the reception of inmates for only a few weeks, but a small portion has been used.

It has a small sum available for building purposes, as the $5,000 contributed was added to this fund. You will be asked to make additional appropriations for barn, pavements, fencing, stock, grading the grounds, and probably for the erection of another cottage. The Board of Control has performed its work and discharged its duties faithfully to the State, and may be safely trusted to continue the work which is only fairly commenced.

REFORM SCHOOL FOR BOYS

By the provisions of the act establishing the Reform School for Boys, the Governor, Attorney-General and Register of Lands were constituted a committee to select a location, purchase the land and erect the necessary buildings. The city of Boonville offered the best inducements for its location and was selected by the committee. The Legislature appropriated for the purchase of grounds, $5,000; for the erection of buildings, $40,000; for furnishing building, $2,000; for maintenance and incidental expenses, $5,000. The lands for the institution comprise 165 acres adjoining and east of Boonville, on which, in a beautiful grove overlooking the Missouri river and Boonville, a building 178 x 58 feet, four stories high, including basement, and detached boiler house, kitchen, dining room and laundry two stories high, have been erected at a total cost of $31,525.

These buildings are heated with steam, lighted with gas, and should be connected with the city water works, the committee not having sufficient funds for that purpose. When completely furnished, these buildings will accommodate from 180 to 200 boys.

The committee has furnished them for the occupancy of seventy-five boys within the appropriation subject to its use, and has drawn from the State treasury and turned over

to the Board of Managers for the purpose of current expenses, buying necessary stock, farming implements and incidental expenses, the sum of $4,425.

By the terms of this act, as soon as said building is completed or nearly so, the Governor shall appoint five commissioners, whose duties it shall be to superintend and manage said reformatory school. The building has been completed (except a portion of the fourth story) and received by the committee of State officers on the part of the State. The board has been appointed for its management and the institution is now ready to receive inmates. The State has never built a better or cheaper building for the money it cost. Architect M. F. Bell, Col. Robert McCulloch and the contractor, Mr. Binder, are entitled to great credit for work that each performed.

You will be asked for additional appropriations for the erection of barns, sewerage, support, etc.

The State cannot engage in a more laudable undertaking then caring for and reforming its youth, whom circumstances over which they had no control have started on the wrong road in life, and I commend this unfortunate class of our people to your liberal consideration. It is estimated that ninety per cent. of the youth sent to similar institutions in many of the States make good and honorable citizens. The laws governing both of these institutions need amending. Boys should be committed until twenty-one years of age, or until discharged by the superintendent, when he is satisfied reformation has been effected. A boy will be more likely to comply with the rules of the institution, and be more easily governed, and will advance faster in learning and reformation, if he understands he can secure as a reward for his good behavior and progress, a discharge, than if he was committed for a certain length of time with no hope of being set free until he has served the full term of his sentence. The charges fixed for both institutions are too great. One hundred and twenty dollars per annum will board and clothe the boys, with what they can raise on the

farm; and one hundred and fifty dollars per annum is ample for the same purpose for the girls.

By the present acts, the counties are required to support the inmates sent to these institutions. The State should bear at least one-half of this expense.

LUNATIC ASYLUMS

The State is now in better condition to care for the unfortunate insane than at any former time. I have visited all three of the asylums within the past year, and found them all well managed by competent superintendents. The improvements made at the Fulton asylum during the past year have added much to the comfort of the inmates and the capacity of the institution. This asylum should be made fireproof at an early day.

The asylums at St. Joseph and Nevada are model buildings. The Nevada asylum is one of the cheapest and best buildings in the State, and the building committee is entitled to great credit for the manner in which they have discharged their duty.

You will be asked for a small appropriation to finish and furnish this asylum. The St. Joseph asylum should be connected with the city sewerage.

There is a growing opinion that it would be to the best interest of the State to place these institutions under the control of one State board, instead of the several local boards, and the matter will probably be presented for your consideration during the present session. I am clearly of the opinion that this is an economic measure, and if adopted, would result in a great saving to the State.

For further and more complete information in regard to the educational and eleemosynary institutions of the State, you are referred to the report of the committee who visited and made a thorough examination of these institutions.

PENITENTIARY

The cost of the penitentiary for the past two years to the people of the State has been $167,000, but if the Warden is given credit with the increased value of the property by way of new buildings, etc., the cost will not exceed $50,000, or $25,000 a year. The actual cash earnings for the past two years have been nearly $350,000.

The average number of prisoners worked by contractors during the past two years has been about 950. This labor, as compared with free labor, is equal to about 450 men, but as it is unskilled, unwilling and destructive to tools and material, 300 free men would accomplish the same work for their employers at the same cost that the 950 convicts will cost them.

This comparison is made for the reason that probably you will be asked to change the labor system, because this labor comes in competition with honest labor. If a prisoner labors at all he comes in competition with free labor, and if the places of 450 skilled workmen outside of the penitentiary are taken by convicts, the taxpayers of the State are saved at least $175,000 per annum. It is proposed by some to utilize this labor by working it on the public roads. This is not practicable and would not be an economic measure to adopt. The result would be in all probability a repetition of what has occurred in Arkansas, Georgia and other States where prisoners have been worked outside the prison walls. Our present system of employing prison labor is, in my opinion, the best that has been devised. It is almost self-sustaining, thereby relieving the people of a heavy burden of taxation, and the competition with free labor is but little. The committee appointed by the Thirty-fourth General Assembly to investigate convict contract labor unanimously made the following report to the Legislature:

"While the committee are convinced that the contract system, taking it all in all, is the best for the State and to all classes of people, so far as financial results are concerned, it

is thought best to limit the number of convicts engaged in one line of manufacturing. Hence the committee favor the enactment of the substitute for all House bills in regard to the subject of the convict contract system. Difference of opinion may exist as to the extent of that limitation, but a careful examination of the subject by the committee, taking into consideration the natural increase of convicts from year to year, induces the committee to favor the proposition in the substitute of permitting only one-seventh of the prison population to work at any one branch of industry."

The management of the penitentiary, under the administration of Warden Marmaduke, has been all that the people of Missouri could expect. It is the opinion of all who have taken the trouble to investigate that it could not have been better; and for further information about this institution you are respectfully referred to his report. There are more convicts in the penitentiary at the present time than ever before, and the number is constantly increasing. There are more prisoners in our penitentiary than any other prison in the United States. The question presents itself as to whether it would not be in the interest of economy and good penitentiary management to establish a branch penitentiary. I am clearly of the opinion that this should be done. Both institutions could and should be under the same management. The new prison can be built by the Warden of the present penitentiary without costing the State but very little more than to erect the necessary buildings to accommodate the increasing number of prisoners that may be expected. All convicts should be sent to the old penitentiary, and the Warden and inspectors should send to the branch penitentiary such prisoners as they think proper. By adopting this measure there could be a prison reform inaugurated that would do more to lessen crime than any other measure that could be adopted. This is very much needed. From necessity, almost, our penitentiary is a school for crime. If the object of punishment is reformation, as it is said to be, the proper facilities for that work should be

given. With a branch penitentiary, the Warden and inspectors could separate and classify the convicts so that much good could be accomplished for the moral training of those who are not hardened criminals. I trust you will give this matter the consideration it deserves.

I also call your especial attention to the importance of making proper provisions for the care of the insane persons now confined in the penitentiary.

BOARD OF HEALTH

By an act of the Legislature, approved March 29, 1883, there was established the "State Board of Health of Missouri." The act appropriated the sum of $6,000 for the purpose of paying the salary of the secretary and contingent expenses of the secretary and board. No appropriations have been made since that time by the Legislature for its support.

Notwithstanding this fact, the board has kept up its organization and performed all the duties required by law, paid their own expenses and contributed several hundred dollars besides to pay other necessary expenses (for the precise amount and the items, see their current report). The board is composed of good and competent men, and it is not right that they should be asked to give their time and pay their own expenses in the discharge of a public duty without proper remuneration. The board should be reimbursed for the money they have paid out and the law repealed, or it should receive liberal assistance from the State. Nearly all the States have boards of health, and Massachusetts appropriates $111,300; Texas, $61,000; Illinois, $49,000 for their support. I am of the opinion that much good has been and can be accomplished by a State Board of Health, and can give no better argument than was submitted to the Thirty-fourth General Assembly by Governor Marmaduke: "In this day of rapid transit the germs of disease are carried from one place to another at such great distances without any notice so easily and frequently that

the individual or community can no longer protect himself or themselves from the sudden and unexpected inroad of pestilence and epidemic by the ordinary precautions of life. Hence, it is necessary that there be some one whose public duty it shall be to take notice of these things and give timely warning of the danger and instructions for the best means of averting it."

BANKS AND BANKING

I desire to call your attention to the fact that the people are not sufficiently protected by our laws governing the control of banking institutions, or that if there is sufficient law on the subject, the means of enforcing a compliance with it are not adequate. In flush times, when money is plenty, there is not so much danger of violations of the law or loss to depositors; but should money get scarce and hard times set in, when the people would need protection most, it would be too late to apply the remedy. Bank officers make their statements as required by law and make a good paper showing, yet banks are continually failing, and depositors in many instances are ruined.

I would suggest as a partial remedy and better protection to the people the advisability of authorizing by law the appointment of a bank examiner, whose duty it would be to make actual examination of all banks and similar associations doing business under the laws of this State, and who should be required to see that every banking institution in the State complies with the law, and make report of such examinations to the Legislature or Governor as may be thought best. The additional expense of such officer to the tax-payers of the State would be more than compensated by the additional security against loss.

I would also suggest that if the banking institutions of the State were made to pay State and county taxes in proportion to their wealth, as other citizens of the State are required by law to do, as might readily be done through such examining officer, the benefit to the public funds would much more than balance the additional cost of such officer.

INSURANCE DEPARTMENT

I desire to call your attention to the fact that the insurance department is an important State office, and should be governed and controlled the same as other State offices.

The opinion has, and to some extent does, prevail that this office does not cost the tax-payers of the State anything, and for that reason more license ought to be given it than any other State office. This is not correct, for while the fees paid to the Insurance Commissioner support the office, yet this money comes from the people of the State. As well might it be said of the Secretary of State, who receives from $50,000 to $80,000 a year in fees, should, in a great measure, dispense these fees as he deems proper. The Secretary of State is compelled to account for the fees received by him and pay them into the State treasury as rigidly as a county collector, and the Warden of the penitentiary cannot get a dollar out of the treasury for the support of that institution until his accounts and vouchers are examined and approved by the Board of Inspectors. The Commissioner of Insurance should be required to do the same. This department has cost the people of this State nearly $40,000 in the past two years. It may have been necessary to expend this amount of money in administering the affairs of the office, but it should be done under the same restrictions as required of other State officers.

There is no good reason why this office should be kept in St. Louis, paying high rent for office room, when there is in the new capitol building plenty of room for this office, and if located here, the Attorney-General could be the legal adviser of the commissioner.

RAILROADS

The question of amicably adjusting the difference of opinion between the railroads and the people as to the rights and duties of both has been a mixed one and difficult to solve.

That this was, and to some extent is, the case, is very natural.

Railroads are a modern invention. They have revolutionized the business of the country. The people contributed largely to their construction and probably expected more in return than they received. Railroads are built for a profitable investment, and in their management injustice has been done individuals and communities by discrimination and other methods of business that the injured parties have a right to complain of. But happily for the people of this State, time and judicious legislation have overcome many of the difficulties that have heretofore existed between the people and the railroads.

The bill for the government of railroads passed by the last extra session, together with the interstate law of the general government, is probably as near a solution of the question as can be had at this time. It is impossible to so legislate but that some communities and individuals will enjoy greater advantages and benefits than others. Railroads cannot be brought to the door of every one, and competitive points will always enjoy privileges and advantages over other places. But under the present law these natural differences may and are being adjusted as satisfactorily as the circumstances of the case will admit. In addition to the statute fixing as near as possible a fair and equitable rate for freight charges, our present law also authorizes the Railroad Commissioners to fix a lower rate, when in their opinion it is just and proper, which shall be *prima facie* evidence of its justness. There has been some question as to the validity of this law, but it is recognized by the railroads, and in most cases cheerfully complied with. In fact, some of the railroads in the State have filed with the Railroad Commissioners schedules of rates lower than fixed by the statute. By the act of the Legislature referred to, $10,000 were appropriated for the purpose of carrying out and enforcing its provisions. The law has, in most instances, been promptly complied with by the railroads,

and only $1,639.82 of the appropriation have been used for its enforcement. I am of the opinion that no radical change in railroad legislation is needed at present, and I trust you will not be inflicted with such influences as have surrounded Legislatures in the past. Our rich and fertile soil, our mines and forests have been and will continue to invite railroad enterprises. Eight hundred and thirty miles have been constructed and put in operation in the past two years, and Missouri has to-day 5,900 miles of railroad.

BUREAU OF LABOR STATISTICS

This branch of the public service has accomplished all that could be expected with the limited means at its command.

The objects hoped to be accomplished by the passage of the law have not been realized for the reason that neither organized labor associations nor the operators of manufacturing industries will give the requisite or correct information sufficient to make an intelligent and accurate report. During the present administration, the Bureau has endeavored to assist in arbitration in labor strikes between the employer and employe.

Some good has been accomplished, but not being authorized by law to act, the results have not been as satisfactory as they would have been had the law authorized the Bureau to act in the premises. If the Bureau was authorized to arbitrate labor troubles, much good might be accomplished. The Commissioner could also very satisfactorily and advantageously to the State discharge the duties required of the Board of Immigration.

Unless the Bureau is given more power and authority, and a larger scope of usefulness, the results accomplished cannot be satisfactory to the Commissioner, however industrious he may be, or to the people. The report of the Bureau, which is as full and complete as it is possible to make it under the existing law, will be submitted for your consideration.

STATE MINE INSPECTOR

According to the provisions of the law approved March 30th, 1887 a State Mine Inspector was appointed and entered upon his duties June 1st of the same year. This law repealed the old law requiring the appointment of county coal mine inspectors, and is a great improvement over the old system. The present law placing coal mines and lead and zinc mines upon the same footing is, to some extent, impracticable, and should be amended as suggested in the report of the Commissioner of Labor Statistics and Inspection. The reports of the Mine Inspector to the Commissioner of Labor Statistics and Inspection for 1887, already published, and for 1888, are of great value for the information therein contained relative to the large mining interests of the State, heretofore comparatively unknown. The increase in the output of coal, lead and zinc as shown by the report of 1888 over that of 1887 (the latest reliable data available for comparison) is encouraging in a high degree. The mining interests of the State are so large and so rapidly increasing that the Mine Inspector must be kept continually in the field, and I regard the present appropriation for his contingent or traveling expenses insufficient for the purpose. We cannot too carefully protect the lives and health of the laborers in our mines by frequent and exacting inspection, nor can we be too diligent and enterprising in the collection of truthful data concerning our immense mineral resources and their publication to the world.

MILITIA

With the means at hand and the little encouragement given the military organization of the State, the service is all that could be expected of it. There should be no necessity for military organizations in this or any other State, but we must confront the fact that such necessity does exist in this State, and there should be no hesitancy on the part of the Legislature to recognize this fact, and by suitable laws provide for their proper government and support.

The general government contributes to the support of our militia by furnishing arms and equipment to the amount of $14,746.53 annually, on condition that the State has an organized force of 100 men for each congressman and senator, which makes it necessary for this State to have 1,600 organized militiamen. The present force consists of one company of infantry at Trenton, one at Carthage, one at Cape Girardeau, one at Jackson, one at Butler, one at Macon, also one of cadets at Macon, two companies of cadets at Columbia, one regiment of seven companies at Kansas City, one regiment of four companies at St. Louis, one troop of cavalry at St. Louis, one battery of artillery at Kansas City, and one battery of artillery at St. Louis, aggregating twenty-four companies, or 1,800 men of all arms. There is now to the credit of the State from the United States the sum of $34,306.96, but it is only paid in ordnance stores, quartermaster stores and equipments. The government is doing all that should be expected toward the support of our militia, and the State should not expect them to give their time to the benefit of the general public, unless they are properly remunerated for their services. I commit this matter to your care and consideration.

BEVIER

There has been for several years a bad state of affairs existing at Bevier, in Macon county, where are located some of the best coal mines in the State. Labor strikes have been frequent, riots have occurred, and deaths and murders have been the result. The civil authorities have been unsuccessful in bringing the offenders to justice, although strenuous efforts have been made in that direction. I have been unable to satisfactorily determine who should be most censured for the existing state of affairs. I am satisfied that both miners and operators are not excusable for the past and present troubles.

The last strike at Bevier occurred the last of September. The mine owners brought in new men to take the place of strikers.

One of the operators, Mr. Thomas Wardell, was killed, it is supposed, by the miners. On the night of the 7th of December, the strikers and the employes of Messrs. Loomis & Snively's mine engaged in a fusilade of fire-arms, in which several hundred shots were fired, endangering the lives of the citizens of Bevier. One of Loomis & Snively's men was wounded, from the effects of which he died. For further information in regard to the troubles at Bevier, you are respectfully referred to the report of the Commissioner of Labor Statistics, submitted for your consideration.

On the 9th day of December, I visited Bevier and found a deplorable state of affairs. The people were alarmed, fearing that at any time the town would be the scene of riot and bloodshed. The miners, strikers and most of the citizens were said to be armed with Winchester rifles and other arms. A large portion of the business part of the town had been burned the day before I arrived. It appeared to me that life and property were in great danger. The town authorities were powerless, for nearly all the inhabitants were either strikers or parties sympathizing with them, or operating miners. The sheriff of the county stated that he could not summons a *posse comitatus* to preserve order and peace, for the reason that the people would not obey him. Reluctantly, after being requested by the authorities of Bevier, the sheriff and many good citizens of Macon county, I ordered some forty members of the National Guard at Kansas City to Bevier, to assist the civil authorities in maintaining peace and enforcing the law. Col. Moore, of the Third regiment, responded quickly, and was on the ground with his men in less than twenty-four hours after he received orders. I believed that all parties feared they would be injured in their person or property by the other side, and that if they were afforded protection for a short time, they would adjust their difficulties; but I am not prepared to say that my hopes have been realized, or that the feeling is much better between the contending elements than before the troops were ordered there. I have ordered

the troops home, for the reason that it is not the policy of the law to maintain standing armies in time of peace.

INTOXICATING LIQUORS

The question of how to prohibit the sale and limit the use of intoxicating liquors to the smallest compass has received the careful consideration of former Legislatures, and will doubtless be urged for your consideration during the present session.

No question that has agitated the public mind in the past fifty years has received more attention than this, and the results have been various, and for the most part unsatisfactory.

As much as it may be desired, no State has yet solved the question of how absolute prohibition can be successfully maintained. That much good has been accomplished all will admit, and I trust the good work may go on until the principles of true temperance and good morals will prevail in every community in our land. In dealing in all questions as legislators, we are the servants of the people, and are supposed to do their will; and when we remember that we are living in the closing years of the nineteenth century—the most advanced and enlightened age in civilization known to history—we must recognize the fact that laws to be observed and cheerfully obeyed or rigidly enforced, must receive the sanction of the community for which they are intended. Especially is this true of social and sumptuary affairs. It has heretofore been the policy of our law-makers in legislating on this subject to observe the democratic theory of local self-government and largely permit the people of each community in their municipal regulations to control the sale of intoxicants. At present we have the "Downing law," fixing the maximum State and county tax on license for dramshops at $1,200 per annum. The law also requires a petition signed by two-thirds of the tax-paying citizens of cities, towns and townships before it is mandatory on the county court to issue license. We have also the "Wood

local option law," under which elections have been held in eighty-seven counties, "submitting the question of prohibiting the sale of intoxicating liquors." Fifty counties have adopted this law, which is virtually prohibition in those counties. The laws of the State are such that any county or any city of 2,500 inhabitants may have prohibition, or they can tax the license of the liquor dealer as high as they please, so that it does not amount to absolute prohibition, as a majority of the voters prefer. In fact, the liquor traffic is left to the control of the citizens of each county and city.

I firmly believe the influence of the dramshop is demoralizing to the community in which it is located, and should be reduced to the lowest possible limit. Some communities are opposed to prohibition or high license, and only collect the minimum State, county and municipal tax on license. In such places saloons are more numerous and not as respectable as where high license prevails; yet it is a question if the present law can be changed to secure better results, for the reason that if such communities could enforce higher license they can make it higher under the present law. If the present policy of permitting local control of the liquor traffic is continued, little or no legislation is needed on the subject, unless it is to perfect the means for enforcing the provisions of the law.

It is highly probable that the present system is satisfactory to a majority of the voters of the State. If a change is made in the license system, and the minimum, which is $550 per annum, fixed higher than at present, the localities where licenses are granted should receive this benefit. If prohibition by the State is urged, it may be well to inquire how it has succeeded in the fifty counties where prohibition has been adopted.

In either case it may also be well to enquire if a law can be successfully enforced if a majority of the people of the community are opposed to it. If we cannot enforce prohibition or high license in some communities by local regulations, can it be successfully done by a general law?

PURIFICATION OF ELECTIONS

A more important subject than the purification of elections cannot be considered by the Legislature of a democratic commonwealth, and when complaints of electoral corruption are so general and earnest throughout the country as at the present time, it is an imperative duty to inquire whether the alleged abuses exist in our own State, and if they do, to suppress them.

Should confidence in the integrity of the ballot be lost, republican institutions would give place to despotism or anarchy.

A danger so vital to our system of government is to be guarded against with the utmost vigilance. By division of the people into two or more parties, there is, perhaps, a better dissemination of political knowledge among the voters than if there was but one party; but if a political party, or its members, by intimidation, bribery or other corrupt methods, prevent an honest and free expression of public sentiment at the polls, the foundations of our democratic form of government are attacked by enemies more dangerous than a foreign foe. If bribery flourishes, despite the stringent penal laws now on our statute books, there is no hope of suppressing kindred but more subtle forms of electoral pollution by similar laws. The remedy is preventive legislation rather than penal, and consists in reformation of the modes of conducting elections.

By enforcing absolute secresy of the ballot, intimidation and bribery may be prevented. When citizens are required to vote in such manner as to be assured that the way in which they vote cannot be known to any but themselves, the timid no longer fear and the venal will not be trusted. This is demonstrated as well by experience as by reason. Until 1872 the suffrage in Ireland was controlled through the intimidation of tenants by landlords, and in England wholesale bribery was a feature of elections. To prevent bribery, the British parliament adopted what is known as the "Australian system" of voting.

Under this system, owing to the perfection of its secresy, bribery at the polls has disappeared, and for the same reason intimidation has so far ceased to be a factor in Irish elections that the representatives of the landlord class, who formerly sat in Parliament from Ireland, have given place to Parnell and his followers. The essential features of this mode of conducting elections are as follows: All ballots are printed at public expense and placed in custody of an election officer whose duty it is to give to each voter one ballot on which is the name of every candidate; from the time the voter receives his ballot until he casts it, he is permitted to hold no communication with any person, but is required in the interval to retire into a booth within the polling place, where, wholly isolated, he indicates with a pencil on the ballot, in prescribed form, the candidates for whom he desires to vote then, folding the ballot with only the mark of its official character exposed, he passes to the ballot-box, and after casting it, withdraws from the polling place. Special provisions, as consistent with secresy as the nature of the case permits, are made for blind and illiterate voters. This mode of voting not only secures the highest degree of secresy, with all the protection to the purity of the ballot which that implies, but it also reduces to a minimum, if it does not prevent, the selling of nominations, and the assessment of candidates, for the executive machinery of parties would have no legitimate use for large sums of money, nor any reason for levying assessments, and worthy aspirants for political preferment could not be supplanted on plea of party necessity by the less worthy or more wealthy. It does not follow that contributions for party purposes would not be made, but the contributions would be voluntary, and could be applied wholly to the legitimate purpose of political parties, that of arousing and educating public sentiment. The printing and distribution of ballots is as much a public function as providing polling places and ballot boxes. To remit it to the control of private interest is to give the greatest latitude for intimidation and bribery, and when it is assumed by political parties, the party necessity of collecting

large sums of money requires the imposition of burdensome assessments, leads to sale of nominations, tends to exclude from office honorable men of small means, and furnishes a mask for the collection and disbursement of corruption funds.

These and similar considerations have induced the adoption of the electoral reform, outlined above, in Australia, Great Britain, Ireland and Canada, where it has long been in successful operation, and in the State of Massachusetts, where it is to go into effect next year. To the election laws of those countries, and to the ballot act of Massachusetts, as well as the ballot bill passed by both houses of the New York Legislature at its last session, but vetoed by the Governor of that State, reference may be had for details of the reform.

The subject is recommended to your careful consideration.

GRAIN INSPECTION

The progress and growth of our commonwealth depend largely on the prosperity of the industrial and wealth producing elements of our population. Every citizen of the State has a right to equal protection before the law. Former Legislatures have wisely enacted laws for the protection of the interest of the wage-earning portion of our population, but singularly enough, that portion of our wealth-producers engaged in agricultural pursuits, and who produce nine-tenths of the wealth and prosperity enjoyed by our people, have received little or no consideration at the hands of our legislators. The products of the farm are the prey of the most grasping and domineering trusts, syndicates and combinations in the country, and the cereal products are often bought and sold many times by non-producers and manipulators of prices before they are garnered by the farmer. The storage, handling, grading, and to some extent, fixing the price of the farm products of the farmers of Missouri is now by law in the hands of private corporations and individuals, who reasonably may be expected to manage the

business in the interest of themselves. By an act of the Legislature, approved February 2, 1865, the Union Merchants' Exchange, of St. Louis, was authorized to appoint a Board of Grain Inspectors to inspect all grain stored in bulk in any elevator erected in the city of St. Louis, and their decision is final as to quality and grade of grain. The parties who appoint the inspectors may be interested in the elevators and the buyers and sellers of grain; if so disposed, such inspectors could work great injustice to the producers by giving a lower grade to the country seller than they do to their employer when he sells.

Several of our great agricultural States, Illinois, Iowa, Wisconsin, Minnesota and the Territory of Dakota, have enacted just and wholesome laws for regulating the handling, storing and inspection of their grain products. The State of Illinois empowers their Railroad Commissioners to regulate their warehouse system. The Governor appoints one inspector of grain, who works under the advice and direction of the "Board of Commissioners of Railroads and Warehouses." This system might be adopted without increasing the number of officers, except inspector, or expense to the tax-payer. The inspector appointed by the Governor, as now, would receive fees for inspection from the seller, which, in St. Louis at present, is said to amount to over $30,000 per annum. This would place the handling, storing and inspection of grain under control of officers who would be amenable to the laws and people of the State, and would certainly be more acceptable to the grain growers of Missouri than the present system. The tobacco raisers of the State have this or similar protection, and the grain growers, whose interests are much the greatest, are entitled to your earnest and careful consideration.

Another matter in this connection to which I desire to call your attention is the fact that the surplus cereals of Missouri farmers, after they have been graded by parties over whose actions they have no control, are again subject to a fictitious valuation or price not entirely governed by

the laws of supply and demand. By manipulations of parties whose trade and business is called option-dealing, the price of grain and other products may be and often is different, perhaps, thirty or more times in a month, and the supply and demand has continued the same. The Thirty-fourth General Assembly, by an act approved March 19, 1887, prohibited option-dealing in every place in the State "except in a duly incorporated merchants' exchange." If it is to the interest of the agriculturists of this State to have fluctuating prices on the products of the farm, merchants' exchanges should not have a monopoly in this business. It is no argument to say the same business will be carried on in other States if prohibited here; we should do our duty to our own people.

It is not possible in the necessarly brief character of a message dealing with the various topics to which I have thought proper to call your attention, to give more than a passing review of the reasons and arguments which seem to me in favor of legislative action on this subject, or to recommend in detail a measure that will cure all of the existing evils. The agricultural interests are depressed. They ask at your hands such relief as will give them equal protection with other labor industries of the State.

CONCLUSION

In submitting for your consideration the foregoing communication, I have but briefly referred to those matters and subjects which the law and my best judgment seemed to indicate as my duty. Your good judgment and intelligence must determine your action in regard to such recommendations as I have deemed proper to make.

Believing that, as servants of the people, you will discharge your duties faithfully and conscientiously, I leave the matter with you.

ALBERT P. MOREHOUSE.

SPECIAL MESSAGES

TO THE SENATE

JANUARY 7, 1889

From the Journal of the Senate, p. 26

CITY OF JEFFERSON, January 7, 1889.

To the President of the Senate:

Sir—I have the honor to inform the Senate that on June 10, 1887, Joseph K. Cole, M. D., and Wm. M. Bunce, were appointed members of the board of managers for Lunatic Asylum No. 3, at Nevada, for a term of two years, and Henry C. Moore, Joseph F. Robinson, M. D., and Daniel C. Kennedy, were appointed as members of same board for a term of three years;

In which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE SENATE

JANUARY 7, 1889

From the Journal of the Senate, pp. 26-27

CITY OF JEFFERSON, January 7, 1889.

To the President of the Senate:

Sir—I have the honor to inform the Senate that on February 1, 1888, I appointed Albert Merrell, M. D., George Homan, M. D., and Jefferson D. Griffith, M. D.,

members of the State Board of Health for a term ending July 2, 1894;

In which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE SENATE

JANUARY 7, 1889

From the Journal of the Senate, p. 27

CITY OF JEFFERSON, January 7, 1889.

To the President of the Senate:

Sir—I have the honor to inform the Senate that on November 9, 1888, I appointed Mrs. L. U. DeBolt a member of the Board of Control for the Industrial Home for Girls, for a term ending April 1, 1889, vice Mrs. J. O. Vincent, resigned;

In which appointment the concurrence of the Senate is respectfully requested.

Very respectfuly,

ALBERT P. MOREHOUSE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1889

From the Journal of the House of Representatives, p. 27

CITY OF JEFFERSON, January 8, 1889.

Hon. J. J. Russell, Speaker House of Representatives:

Sir—I have the honor to transmit herewith the report of the Register of Lands for the years 1887 and 1888.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1889

From the Journal of the House of Representatives, p. 27

CITY OF JEFFERSON, January 8, 1889.

Hon. J. J. Russell, Speaker House of Representatives:

Sir—I have the honor to transmit herewith the report of the State Board of Health for the year 1888.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1889

From the Journal of the House of Representatives, p. 27

CITY OF JEFFERSON, January 8, 1889.

Hon. J. J. Russell, Speaker House of Representatives:

Sir—I have the honor to transmit herewith the report of the Superintendent of the Missouri School for the Blind for the years 1887 and 1888.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1889

From the Journal of the House of Representatives, p. 28.

CITY OF JEFFERSON, January 8, 1889.

Hon. J. J. Russell, Speaker House of Representatives:

Sir—I have the honor to transmit herewith the report of the Adjutant-General for the year 1888.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1889

From the Journal of the House of Representatives, p. 28

CITY OF JEFFERSON, January 8, 1889.

Hon. J. J. Russell, Speaker House of Representatives:

Sir—I have the honor to transmit herewith the statement of the School of Mines and Metallurgy, showing the receipts and disbursements from January 1, 1887, to December 31, 1888.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1889

From the Journal of the House of Representatives, p. 28

CITY OF JEFFERSON, January 8, 1889.

Hon. J. J. Russell, Speaker House of Representatives:

Sir—I have the honor to transmit herewith the report of the Commissioner of Labor Statistics and Inspection for the year 1888.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE GENERAL ASSEMBLY

JANUARY 10, 1889

From the Journal of the House of Representatives, p. 52

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,

January 10, 1889.

To the General Assembly:

I have the honor to call your attention to the Centennial celebration of the inaugural of George Washington as President of the United States, to be held at New York city April 30, 1889.

At the request of the gentlemen who have the matter in charge, I have appointed as delegates from Missouri, David H. Armstrong, Daniel M. Frost and Edwin O. Stanard of the city of St. Louis; Chas. B. McAfee of Springfield, Firman A. Rozier of Ste. Genevieve, Banton G. Boone of Clinton, Rufus E. Anderson of Hannibal, Henry C. Kumpf of Kansas City, Edmond A. Donelan of St. Joseph, and Benjamin Trueman of Mexico.

These gentlemen have learned through correspondence with the Committee on "Scope and Plan," that a prominent feature of the celebration will be a military parade, in which troops from all the states and territories are expected to take part.

It is my opinion that this is a sensible and reasonable expectation. Missouri cannot be so represented on that occasion without appropriation by the General Assembly for such purpose; and I recommend that you make such appropriation as may be necessary to cover this and other proper expenses necessary to enable our State to be a full participant in this worthy and commendable enterprise.

Very respectfully,

ALBERT P. MOREHOUSE.

TO THE GENERAL ASSEMBLY

JANUARY 12, 1889

From the Journal of the House of Representatives, p. 67

CITY OF JEFFERSON, January 12, 1889.

To the General Assembly:

In accordance with section 8, article 5 of the Constitution, I have the honor to communicate to you the pardons granted since January 10, 1887, with the reasons for granting the same.

Very respectfully,

ALBERT P. MOREHOUSE,

Governor.

PROCLAMATIONS

ON THE DEATH OF GOVERNOR JOHN S. MARMADUKE

DECEMBER 29, 1887

From the Register of Civil Proceedings, 1885-1888, p. 465

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

In recognition of the universal sorrow at the death of Governor John S. Marmaduke, and in order that we may do honor to the memory of the late distinguished citizen and chief executive officer of this state, I recommend that all public offices and public institutions of the state be closed on Saturday the 31st day of December.

What a loss our state has sustained in the death of this great commoner? Few Missourians have gained such renown as he, and fewer still have held it through so many years of their lives. His record as a soldier, citizen and public officer is spotless and without a shadow.

Generous and merciful in the hour of triumph and victory, unostentatious in civil and military office; true to his own sense of duty and estimate of right, unfaltering in the fulfillment of his promises, and faithful to his friends, he stamped his individuality upon the age in which he lived, and endeared himself to the people of Missouri, and to them I commit and commend a fitting observance of that day when he shall be laid to rest.

Done at the city of Jefferson this 29th day of December 1887.

ALBERT P. MOREHOUSE,

Governor.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

JANUARY 1, 1888

From the Register of Civil Proceedings, 1885-1888, pp. 476-477

The State of Missouri: To all who shall see these presents: Greeting:

Know Ye, that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the State Seminary Fund of said state, in the sum of Five Thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest, semi-annually, at the rate of five per-centum per annum, out of any money in the state treasury not otherwise appropriated; said interest to be paid on the first days of January and July of each year, and applied to the maintenance of the Agricultural College and School of Mines as provided by law. This Certificate of Indebtedness represents certain sums of money paid into the state treasury by the treasurer of the Board of Curators of the State University on the first day of July 1887, said money being the proceeds derived from the sale of the Agricultural College Lands donated to the State of Missouri by virtue of an act of congress, approved July 2, 1862, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts" It is non-negotiable and is issued in compliance with an act of the General Assembly of the State of Missouri, approved March 31, 1883, and entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or seminary fund of the

state, or that may hereafter be paid into the State treasury, etc"

In Witness Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the
(Seal) State of Missouri. Done at office in the city of Jefferson, Missouri, this 1st day of January 1888.

ALBERT P. MOREHOUSE, Governor.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

OFFERING A REWARD

FEBRUARY 22, 1888

From the Register of Civil Proceedings, 1885-1888, p. 489

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Pink Harrison is charged with felonious assault upon Henry Mathews, in the county of Gasconade, and has fled from justice and cannot be arrested by ordinary process of law.

NOW, THEREFORE, I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of one hundred and fifty dollars for the arrest and delivery of said Pink Harrison to the sheriff of said county of Gasconade, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri—Done at the City of Jefferson this twenty-second day of February A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

ON THE ENFORCEMENT OF QUARANTINE REGULATIONS

MARCH 1, 1888

From the Register of Civil Proceedings, 1885-1888, pp. 493-494

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—The State Board of Health has declared "that small-pox exists in the town of Green Top, Schuyler county, and districts lying adjacent thereto, and in the town of Millard, Adair county, to such an extent as to endanger the lives of the inhabitants of other parts of the state having direct communication with such, infected places and localities."

And, WHEREAS, said board has "resolved that, in accordance with the act creating this board, the following rules and regulations deemed necessary to prevent the spread of such disease are hereby established: 1—Railway corporations and all other common carriers are hereby forbidden to receive for transportation any person or persons from such infected towns or districts without a certificate from the authorities of the aforesaid counties or towns that such person or persons are free from small pox, that they have not been exposed to the disease within fourteen days, and have taken all necessary precautions to avoid its infection and prevent its communication to others—2. No household goods or personal effects, or baggage shall be received for shipment by said carriers from such infected towns and districts without a certificate signed by the authorities of said towns and counties to the effect that they are free from danger of spreading the disease in transit or at places of destination—In case of doubt on the part of carriers a statement under oath in regard to the true facts may be required of the proposed passenger or shipper under this and the foregoing rule. 3—These rules and regulations shall remain in force for a period of thirty days from date

of promulgation subject to modification or extension to other places and localities, as circumstances may seem to indicate or require."

And WHEREAS, the said board of health has requested me to issue my proclamation "to enforce the quarantine rules and regulations adopted and recommended" by said board.

NOW THEREFORE, I, Albert P. Morehouse, governor of the State of Missouri, do hereby caution and warn all persons, railway companies, and other common carriers, against violating any of the foregoing rules and regulations established by the State Board of Health, for a period of thirty days next ensuing, and I hereby call upon and direct all sheriffs, constables and other executive officers of this state to assist in enforcing said quarantine and in protecting the people of the state against the spread of such disease.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri—Done at the city of Jefferson this 1st. day of March A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

MARCH 1, 1888

From the Register of Civil Proceedings, 1885-1888, p. 506

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that it is hereby certified that the state of Missouri is indebted to the State Board of Education, as Trustee for the State Seminary Fund, in the sum of Six Thousand Dollars, payable twenty years after date; upon

which sum the said state hereby promises to pay to the State Board of Education, trustee as aforesaid interest semi-annually, at the rate of five per centum per annum, out of any money in the State Treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year, and applied to maintenance of "The James S. Rollins University Scholarships."

This Certificate of Indebtedness represents a certain sum of money paid into the state treasury by the treasurer of the board of curators of the State University on the first day of March 1888; it is non-negotiable, and is issued in compliance with an act of the General Assembly of the State of Missouri, approved March 31, 1883; said money being derived from a bequest by James S. Rollins to the State Seminary Fund to found scholarships to be awarded by the president and faculty of the university—the vote in each case to be by ballot—as a reward for excellence and promise in:

First—The college of arts, for the degree of A. B. Fifty dollars.

Second—The college of arts, for the degree of B. S. Fifty dollars.

Third—The College of Agriculture and Mechanic Arts, for the degree of B. A. Fifty dollars.

Fourth—The College of Law, for the degree of LL. B. Fifty dollars.

Fifth—The College of Medicine, for the degree of M. D. Fifty dollars.

Sixth—The College of Engineering for the degree of C. E. Fifty dollars.

In Witness Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at office in the city of Jefferson this first day of March, 1888.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

OFFERING A REWARD

MARCH 5, 1888

From the Register of Civil Proceedings, 1885-1888, pp. 495-496

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, William Farmer is charged with the murder of Jeff Harrison, in the county of New Madrid, on the third day of February 1888, and has fled from justice and can not be arrested by ordinary process of law.

NOW THEREFORE I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said William Farmer to the sheriff of said county of New Madrid, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the (Seal) State of Missouri. Done at the City of Jefferson this fifth day of March 1888.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

OFFERING A REWARD

MARCH 19, 1888

From the Register of Civil Proceedings, 1885-1888, p. 502

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Arthur Blake and Thomas Harris, convicted of murder in the first degree in Atchison county have escaped from the county jail at Savannah in Andrew county, and have fled from justice and can not be arrested by ordinary process of law,

Now Therefore, I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars, each, for the arrest and delivery of said Arthur Blake and Thomas Harris to the sheriff of Atchison county, at Rockport, the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State (Seal) of Missouri. Done at the city of Jefferson this 19th day of March 1888.

Albert P. Morehouse.

By the Governor:

Mich'l K. McGrath, Secretary of State.

ON REMOVAL OF DISABILITIES

April 5, 1888

From the Register of Civil Proceedings, 1885-1888, p. 510

The State of Missouri, to all who shall see these presents—Greeting:

Know Ye that Whereas, George W. Terry was, at the October term 1887 of the circuit court of Maries county, convicted of selling liquor on Sunday, and sentenced to pay a fine of fifty dollars and the said George W. Terry having paid said fine.

Now Therefore, I Albert P. Morehouse, governor of the State of Missouri, in virtue and by authority of law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said George W. Terry by reason of the conviction and sentence aforesaid.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the city of
(Seal) Jefferson this fifth day of April, in the year of Our Lord One thousand eight hundred and eight, of the independence of the United States the one hundred and twelfth, and of the State of Missouri, the sixty eighth.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

APRIL 16, 1888

From the Register of Civil Proceedings, 1885-1888, p. 513

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Milton A. McDaniel, who was at the July term 1886 of the Texas county circuit court convicted of murder and sentenced to be hanged, has escaped from the jail of said county and has fled from justice, and can not be arrested by ordinary process of law—

NOW THEREFORE, I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and delivery of said Milton A. McDaniel to the sheriff of Texas county, at Houston, the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereto set my hand caused to be affixed the great seal of the State
(Seal) of Missouri—Done at the city of Jefferson this 16th day of April A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON DECLARING CERTAIN COMMISSIONS VACATED

MAY 14, 1888

From the Register of Civil Proceedings, 1885-1888, p. 521

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by law I, Albert P. Morehouse, governor of the State of Missouri, hereby declare vacated, from and after the fifteenth day of June eighteen hundred and eighty eight, the commissions as commissioners of deeds for the State of Missouri heretofore issued to Charles S. Bundy, and Rudolph H. Evans, of Washington City, District of Columbia; William Haigh, of London, England, and Gus E. Lohman of Los Angeles, California, said persons having failed to qualify as such commissioners as required by section 641 Revised Statutes of the State of Missouri.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this fourteenth day of May A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

AUGUST 18, 1888

From the Register of Civil Proceedings, 1885-1888, p. 550

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that on the night of July 1888, A. L. Smith was murdered in the county of Butler by some person or persons whose names are un-

known, and who have fled from justice, and can not be arrested by ordinary process of law, Now Therefore, I, Albert P. Morehouse governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said unknown person or persons to the sheriff of Butler County, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 18th day of August A. D. 1888.

Albert P. Morehouse.

By the Governor:
Mich'l K. McGrath,
Secretary of State.

OFFERING A REWARD

August 18, 1888

From the Register of Civil Proceedings, 1885-1888, pp. 550-551

State of Missouri, Executive Department.

Whereas, Charles Casebolt is charged by affidavit with the murder of Jasper Robertson, in the county of Gentry, and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Charles Casebolt to the sheriff of said county of Gentry at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 18th day of August A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

AUGUST 18, 1888

From the Register of Civil Proceedings, 1885-1888, p. 551

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Peter Renfrow is charged by affidavit with the murder of Charles B. Dorris in the county of Texas, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Peter Renfrow to the sheriff of said county of Texas at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 18th day of August A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

AUGUST 18, 1888

From the Register of Civil Proceedings, 1885-1888, p. 552

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John Turner is charged with the crime of murder in the county of Iron, and has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE, I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and delivery of said John Turner, to the sheriff of said county of Iron, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof, I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 18th day of August A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:

MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

SEPTEMBER 27, 1888

From the Register of Civil Proceedings, 1885-1888, pp. 565-566

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on or about the eighth day of May 1887 Ada Kesterson, aged about fourteen years, was murdered in the county of Butler by some party or parties who are unknown, and who have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Albert P. Morehouse, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and conviction of said party or parties of the crime aforesaid.

In Testimony Whereof I hereto set my hand and cause to be affixed the Great Seal of the State of
(Seal) Missouri—Done at the city of Jefferson this 27th day of September A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

OFFERING A REWARD

OCTOBER 8, 1888

From the Register of Civil Proceedings, 1885-1888, pp. 569-570

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on the night of September 22nd. 1888 Henry Denton was murdered by persons who are unknown, and who have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Albert P. Morehouse governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars to be paid for the arrest and conviction of said unknown persons.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 8th day of October A. D. 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THANKSGIVING

NOVEMBER 16, 1888

From the Register of Civil Proceedings, 1885-1888, p. 599

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

As the year 1888, draws to a close we are reminded of many reasons why the people of Missouri should set apart a day for general thanksgiving.

We have garnered a bounteous harvest; no epidemic disease of man or beast has prevailed. No destructive contention among ourselves or with others has occurred or is threatened: We are today a free, prosperous and happy people, and it is meet that we observe the time honored custom of our fathers and devote one day to public thanksgiving and praise to the Supreme Ruler for his manifold blessings.

To this end I designate Thursday the 29th of November as Thanksgiving day.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri this the 16th day of November AD 1888.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON DECLARING A COMMISSION VACATED

DECEMBER 12, 1888

From the Register of Civil Proceedings, 1885-1888, p. 618

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by law, I, Albert P. Morehouse, governor of the State of Missouri, hereby declare vacated from and after the tenth day of January 1889, the commission as commissioner of deeds for the State of Missouri, heretofore issued to Leo. E. Bennett, of Muscogee, Indian territory; said Leo. E. Bennett having failed to qualify as such commissioner as required by section 641 Revised Statutes of the State of Missouri.

In Testimony Whereof, I hereto set my hand and cause to be affixed the great seal of the State (Seal) of Missouri. Done at the city of Jefferson this twelfth day of December A. D. 1888.

ALBERT P. MOREHOUSE

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

DECEMBER 15, 1888

From the Register of Civil Proceedings, 1885-1888, p. 620

The State of Missouri: To all who shall see these presents: Greeting:

Know Ye, that It is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the State Seminary Fund of said state, in the sum of Five thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually, at the rate of five per-centum per annum, out of any money in the State treasury not otherwise appropriated, said interest to be paid, on the first days of January and July of each year, and applied to the maintenance of the Agricultural College and School of Mines, as provided by law.

This certificate of indebtedness represents certain sums of money paid into the State treasury by the treasurer of the Board of Curators of the State University on the 15 day of October 1888, said money being the proceeds derived from the sale of the Agricultural College Lands donated to the State of Missouri by virtue of an act of congress, approved July 2nd 1862, entitled "An act donating public lands to the several States and territories which may provide Colleges for the benefit of agriculture and the mechanic arts" It is non-negotiable and is issued in compliance with an act of the general assembly of the State of Missouri, approved March 31, 1883, and entitled "An act to provide for the permanent investment of any moneys remaining in the

State treasury and belonging to either the public school fund or seminary fund of the state, or that may hereafter be paid into the state treasury, etc"

In Witness Whereof I have hereunto set my hand and caused to be affixed the great seal of the
(Seal) state of Missouri. Done at office in the City of Jefferson, Missouri, this 15th day of December 1888.

ALBERT P. MOREHOUSE, Governor.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

ON DECLARING A COMMISSION VACATED

JANUARY 12, 1889

From the Register of Civil Proceedings, 1889-1892, p. 7

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by law I, Albert P. Morehouse, governor of the State of Missouri, hereby declare vacated, from and after the tenth day of February 1889, the commission as commissioner of deeds for the State of Missouri, heretofore issued to Charles I. Rawson, of Worcester, Massachusetts, said Charles I. Rawson having failed to qualify as such commissioner as required by section 641, revised statutes of the State of Missouri.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this twelfth day of January A. D. 1889.

ALBERT P. MOREHOUSE.

By the Governor:
MICH'L K. MCGRATH,
Secretary of State.

MEMORANDA OF PROCLAMATIONS AND WRITS OF ELECTION

OCTOBER 8, 1888

From the Register of Civil Proceedings, 1885-1888, p. 569

The Governor issued writs of election to the sheriffs of the counties of Clark, Knox, Lewis and Scotland composing the Twelfth Senatorial district, ordering an election to be held in said counties on the 6th day of November 1888, for the purpose of electing a state senator from said district to fill the vacancy therein caused by the resignation of the Hon. William G. Downing.

OCTOBER 8, 1888

From the Register of Civil Proceedings, 1885-1888, p. 569

The Governor issued writs of election to the sheriffs of the counties of Bates, Cass and Henry composing the Sixteenth Senatorial district, ordering an election to be held in said counties on the 6th day of November 1888 for the purpose of electing a state senator from said district to fill the vacancy therein caused by the death of the Hon. James G. Sparks.

OCTOBER 8, 1888

From the Register of Civil Proceedings, 1885-1888, p. 569

The Governor issued writs of election to the sheriffs of the counties of Barton, Jasper and Vernon, composing the Twenty eighth Senatorial district, ordering an election

to be held in said counties on the 6th day of November 1888 for the purpose of electing a state senator from said district to fill the vacancy therein caused by the resignation of the Hon. Stephen G. Claycomb.

GOVERNOR DAVID ROWLAND FRANCIS

DAVID R. FRANCIS
Governor 1889-1893

DAVID R. FRANCIS

BY

WALTER B. STEVENS

"The first time I ever rode on a railroad train," David R. Francis says, in his unpublished *Recollections*, "was between Lexington and Covington, Kentucky. I was fifteen years old, and was going to see my uncle who lived in Covington. I put my head out of the window to count the telegraph poles, to see how many poles there were in a mile. My hat, a new straw which had cost two dollars, blew off. What to do when the train got to Covington was troubling me. While I was wondering how I was to get from the station to my uncle's house, bareheaded, a man opened the door of the car and asked:

" 'Has anyone here lost a hat?'

" 'Yes' I said, 'I lost a hat, and that's mine.'

"I thanked the man very much. Twenty-five years later, when I had been mayor of St. Louis and had been elected governor of Missouri, I told that hat story in a group of friends for the first time. Someone in the party spoke up as I finished and said:

" 'Yes, Governor, you have been playing in that luck ever since'."

Another of these *Recollections* belongs to this all-too-brief introduction to the official record of David R. Francis' four years at Jefferson City:

"While I was in Washington University, in my sophomore, or junior year perhaps, I went out to the St. Louis Fair and was introduced to the then governor of Missouri, Thomas C. Fletcher. It was a great honor, it seemed to me, to shake hands with the governor of Missouri. If anybody had told me that day, in the amphitheater of the St. Louis Fair Grounds, that in twenty-two years I would be back there as governor of Missouri I wouldn't have believed it."

The boy of twelve cherished an ambition as he walked out the pike afternoons to meet the stage bringing from Lexington the newspapers with war news. He hoped to sit on the high seat and hold the lines over the four-in-hand, when he had grown. He took the bundle of papers and sold them to the Richmond people, accumulating in coin what in those days of high premiums on hard money meant much more in greenbacks—a tidy sum toward higher education costs.

At sixteen he was completing at Richmond a course in the academy for girls which the Rev. Robert Breck was conducting. He was one of two boys taken to keep the minister's son company in the classes of thirty Kentucky girls. Two uncles, brothers of David's mother, one in St. Louis, the other in Covington, offered board if he wanted to go on with his education. St. Louis was chosen. The boy, supposing he was prepared for the junior class, had difficulty in making the freshman entrance. He took the full four years' course, graduating with the degree of bachelor of arts in 1870, and owing $450. Back in the Kentucky home, David R. Francis, now twenty years of age, was trying to devise ways and means to go on with studies which would prepare him for the practice of law when a letter from the St. Louis uncle offered him the place of shipping clerk with Shryock and Rowland at a salary of $75 a month. And so he began to earn his $2.50 a day on the St. Louis levee, among the railroad tracks, in counting room, and on 'change, a round of duties which inspired devotion to a business career.

When D. P. Rowland took his nephew on 'change in the early seventies someone asked:

"What are you going to do with him?"

In the easy Scotch wit that had come down with the Irvine strain in the family, a strain famous in the days of Robert Bruce and historic in the pioneer period of Virginia and Kentucky, Mr. Rowland replied:

"Well, if there is anything in him I may make him president of this chamber some day."

"But if he turns out badly?" argued the inquirer, seeking another rise from the ready "Uncle Pitt."

"Then I will run him for governor of Missouri," answered Mr. Rowland promptly.

Eighteen years later old timers on 'change recalled this interlocutory, and marveled.

President of the Merchants' Exchange, Mayor of St. Louis, Governor of Missouri, Secretary of the Interior, President of the World's Fair of 1904, Ambassador to Russia during the World War period, the public activities of David R. Francis have been impressive in two generations. They have been varied and continuous, almost without parallel even within the possibilities of American citizenship. A delegate repeatedly to national and state conventions of his political party, president of the Trans-Mississippi Congress, a member of delegations undertaking commissions for the general welfare, his personality has been potent in the life of city, state, nation and the world. Three-fold these activities have been, along business, political and educational lines, often dovetailing, or co-ordinating, to carry forward to success public betterments.

In his first year as shipping clerk David R. Francis paid off that college debt of $450. He served seven years in a salary apprenticeship and in 1877 established his own business, the D. R. Francis Commission Company. Six years later the younger element put him forward for vice-president of the Merchants' Exchange and elected him. The next year he was elected president of the chamber, a great and an unprecedented honor to come to a St. Louisan of thirty-four.

The Democratic state convention met in St. Louis to choose delegates to the national convention of 1884 at Chicago. To his directors of the Merchants' Exchange, President Francis suggested the propriety of appointing a reception committee to escort the visiting delegates about the city and to the Fair Grounds, with such courtesies as would make them feel welcome to the chief city of Mis-

souri. When the delegates convened they showed their appreciation by making Mr. Francis one of the four delegates-at-large to Chicago. And there the young St. Louisan put Thomas H. Hendricks in nomination as running mate for Grover Cleveland over the angry protest of the Indiana delegation insisting that Hendricks would not take it. But Hendricks yielded and contributed strength to the successful ticket which brought the Democratic party into control of the national administration for the first time since the Civil War.

The spring of 1885 brought a deadlock in the Democratic party over the nomination for mayor of St. Louis. Delegates balloted all night on the three candidates, Rainwater, Noonan and Parks. Mr. Francis attended the convention during the fore part of the night, interested in his personal friend, Major Rainwater. The next morning he was on 'change attending to the business of his house when there was a shout from someone near the great door of the chamber.

"What is that?" Mr. Francis called out.

"You've been nominated for mayor!" was the answering shout.

The deadlock had been broken on the 184th ballot. Mayor Francis was elected over William L. Ewing, Republican, who had carried the city by 14,000 four years previously. A business administration in the strictest sense followed. A debt of $1,000,000 owed by the Missouri Pacific was collected. Interest rates on the city bonded debt were brought down from 6 and 7 per cent to 3.65 and 4 per cent. Reconstruction of street paving with granite blocks was begun, taking the place of the wooden blocks and macadam. Gaslight rates were lowered from $2.50 to $1.25 per thousand feet. A site for new waterworks at the Chain of Rocks was purchased and the plans for a more abundant and more healthful supply of water were started with an appropriation of $1,000,000.

"But his value," to quote the words of a successor in the office, Mayor Cyrus P. Walbridge, "is not to be judged

by what he did in the office but by what the office did in him. It prepared him for the big things he has since done."

The business mayor of St. Louis became the business governor of Missouri in January, 1889. An unfamiliar figure was at the state capital, for on scarce half a dozen occasions had David R. Francis been seen there. Ways unfamiliar to the politicians soon marked the new administration. The initial problem was the fate of the Bald Knobbers. The clans of the Ozarks had taken the law in their own hands. They had shed blood and terrified whole counties with their whippings and murders. Four of the leaders had been convicted and sentenced to be hanged during the administration of the preceding governor, Morehouse. And Governor Morehouse, defeated for the nomination by Francis, had reprieved the Bald Knobbers, postponing the execution of the sentences from November to May, placing upon Governor Francis the decision of life or death. Pressure upon the new executive began before his seat was warm. With it came threats from the mysterious organization. Petitions for clemency flowed in, one with 5,000 signatures. The Bald Knobbers broke jail. Three of them were returned to prison. The fourth escaped. The legislature was in session. The members, 140 of them, joined in an appeal for commutation of the sentences. Satisfying himself that there had been no mistake in the judicial procedure, no newly discovered evidence, Governor Francis refused to interfere, writing his reasons. The Bald Knobbers were hung. The clans disbanded. The disgrace of Bald Knobbism was lifted from the Ozarks.

In April, 1889, the country prepared to celebrate fittingly at New York the centennial of the inauguration of the first President of the United States. Missouri had, with undue conservatism, refrained from participating officially in centennials and expositions. Other states were to be represented by their governors and by their national guards. Governor Francis announced that Missouri would not be missing. He ordered the national guard to assemble

in St. Louis. The legislature failed to make any appropriation. The troops were at the union station and aboard the cars when a railroad official appeared with a demand for the price of the trip, about $14,000. He took a personal draft of the governor. The train moved. A bill to reimburse Governor Francis passed but not at the first attempt.

To the credit of the Francis administration were enacted the first Australian ballot law, the schoolbook commission and uniform textbook law, the reduction of the tax rate, the geological survey commission and a long list of what may well be called constructive measures.

But the greatest achievement of the Francis administration was the salvation of the University of Missouri. Represented at Washington by John T. Heard, Missouri obtained the refund of what was known as the direct tax imposed on the state by the national government at the time of the Civil War, $600,000. Many bills to apply this money were put forward in the legislature. The economists, always with us, wanted to buy and retire state bonds to that amount. Governor Francis sent in a message, urging that the money be added to the endowment of the state university. How well and with what cogent reasoning he presented the needs, that message tells. The movement gained headway slowly, but the bill passed with conditions calling for changes in the management. Further legislation brought about a bi-partisan board of nine curators only five of whom could be of one political party and only one of whom could be from a congressional district. Furthermore, the new legislation put the appropriations for the university on a business basis, holding the money in the state treasury until needed and drawn by proper voucher for actual expenditures.

With a new president, Dr. Jesse, the university entered upon a new era. Fostered by continuous and intelligent support from the state administration it was advancing rapidly to front rank with like institutions in other states when in January, 1892, the main building burned. Governor Francis immediately called a special session of the legis-

lature. With the mercury hovering about zero, the governor went across the country to Columbia. He called the students together in a theater. He told them of his plans for the rebuilding. He checked what threatened to be an exodus of the students to their homes or to other institutions. Returning to Jefferson City he recommended to the legislature the appropriation of $250,000 for rebuilding. And so well had this governor impressed his personality on the legislators that the measure went through promptly. And it went to enactment without effort to remove the agricultural college from Columbia, which had been threatened at one time. In temporary quarters the students went on with their studies. The University of Missouri forged ahead with progress that attracted the admiration of educators everywhere.

For his policies and his acts Governor Francis was called "the second father of the university." He ranked with James S. Rollins as one of the two men who had done most for the institution. William K. Bixby once amended the title with the suggestion that "James S. Rollins should be called the grandfather and David R. Francis the father of the university."

Missouri made no appropriation for participation at the Centennial Exposition in Philadelphia, at the New Orleans or at the Atlanta Expositions. As his term at Jefferson City neared the close, Governor Francis urged an appropriation of $150,000 for the World's Fair at Chicago and it was made. With his staff and 600 members of the national guard of Missouri Governor Francis took part in the dedication in 1892. The following year he was out of office. Taking his family to Chicago, he rented a house and devoted several weeks to a study of the exposition.

When Chicago was chosen for the location of the World's Fair, Governor Francis presented in Washington the claims of St. Louis. After the vote went against St. Louis, he remarked that a decade would bring the centennial of the Louisiana Purchase to be celebrated.

During the second term of President Cleveland, 1893–1897, Mr. Francis, who had been one of the pronounced advocates of the renomination at Chicago in 1892, held relations closer than those of any other Missourian with the national administration. He was consulted by President Cleveland on appointments and policies which concerned the state. In the summer of 1896, he was invited to become a member of the cabinet, the Secretary of the Interior. His term was not quite a year but in that time he added millions of acres to the forest reserves and instituted business reforms which were ratified and continued in the McKinley administration.

About the time that he retired from the Secretaryship of the Interior, Mr. Francis addressed the Business Men's League of St. Louis on the coming centennial of the Louisiana Purchase. In June, 1898, he took part in the preliminary organization for consideration of plans for the proper observance of the anniversary. Thenceforward until the close of the World's Fair in 1904, he gave his time, his acquired experience and his capacity for accomplishment, and that without any financial compensation.

"Every exposition is a great international peace congress," Mr. Francis said, in explanation of his absorbing interest in the World's Fair. "Each is another step forward in the progress of man. It is a source of growing education to the human race, and brings the civilized races closer together."

Early in the first term of President Woodrow Wilson the tender of the most important diplomatic post in South America was made. It was declined. Later the urgent request from the White House took David R. Francis to Russia in 1916. At intervals there came out of Russia fragments of information, through various channels, showing that life at the American embassy was strenuous, not to say dangerous. When Ambassador Francis went to Russia he was accredited to a monarchy and held official relations with the government of the czar. Then followed revolution, the constitutional assembly, Kerensky and the

military regime, soldiers' and sailors' council, soviet and bolshiviki; and later the efforts of law and order elements, scattered and struggling under various leaders, to throw off the demoralizing influences of anarchy. Through it all the American ambassador stayed on, moving from place to place, living on trains, issuing his courageous counsel to the Russian people, urging continuance of alliance with the entente countries as against the German intrigues. For weeks at a time he was without communication from Washington. Again and again it was left to his discretion whether he should leave Russia. But not until the American embassy staff was reduced to fewer than half a dozen persons and physical breakdown came, did the ambassador permit himself to be taken from Russia on a stretcher.

On the way to London to go under the knife for an operation which Russian surgeons refused to perform, Ambassador Francis formulated a plan to solve the Russian situation—a plan which, if adopted by the United States, might have changed radically the history which has been written since 1918.

"My plan was to occupy the embassy at Petrograd. I said I would require not more than 50,000 American soldiers. I was satisfied that as soon as the English, the French and the Italians learned I was returning to Petrograd they would send their ambassadors to join me. Our soldiers would be strengthened by a detail of at least 50,000 English, 50,000 French and 20,000 Italian soldiers. I, as dean of the diplomatic corps, would announce to the Russian people that we had not come for the purpose of interfering in their domestic affairs, but for the protection of our embassies, and to enable the people of Russia to hold a free election with a fair count for a constituent assembly, that assembly to choose a form of government preferred by the majority of the Russian people."

In London Ambassador Francis attended a dinner given by King George to President Wilson. The king asked:

"Mr. Ambassador, what do you think we ought to do about Russia?"

"I think the allies should overturn the Bolshevik government in that afflicted country," the ambassador replied.

The king rejoined by telling Ambassador Francis he thought so too but President Wilson differed from them.

In Paris, during the peace conference, Ambassador Francis, convalescent from the surgical operation, laid his plan before Secretary Lansing, General Bliss, Colonel House, General Pershing and Henry White. With each one separately he went over the plan and each one of them said to him, "You tell that to the President."

Returning on the Washington to the United States, the ambassador obtained his first opportunity to lay the plan before President Wilson. The latter took the position that sending American soldiers to Russia after the armistice had been signed would be very unpopular in the United States. He quoted Lloyd George and Clemenceau as saying British and French soldiers would refuse to go to Russia. Ambassador Francis expressed the opinion that 200,000 American, British and French soldiers would promptly volunteer to go to Russia to protect the embassies and to give the Russian people the opportunity to set up a good government. He believed that 100,000 would be enough.

"I think," said Ambassador Francis, "that if the plan had been carried out it would have saved Europe from bolshevism which came near overturning the German government, which did succeed in deposing the Austrian and Hungarian governments, menaced France and threatened England and was the cause of unrest in the United States and throughout the world. President Wilson suggested permitting the Russians to settle their own differences, and when I told him that would entail great human slaughter, he replied that no one abhorred bloodshed more than he did, but if I was right he thought 'it must needs come'. President Wilson may have been influenced by my emaciated

condition and apparent weakness, or he may have thought the League of Nations would be formed and the United States would join the League and that would serve the same purpose."

In Richmond, Kentucky, a fountain, a work of art and utility, the gift of David R. Francis, commemorates his birthplace. There he was born October 1, 1850. The parents were John Broaddus Francis and Eliza Caldwell (Rowland) Francis, descendants of Kentucky pioneers. One of those ancestors was Thomas Francis, a Kentucky soldier in the War of 1812. On the mother's side the descent is from the Irvines, a family of historic fame in the days of Robert Bruce, and from David Irvine, of Lynchburg, Virginia, whose ten daughters were pioneer women of America.

In 1876, on the threshold of his business career for himself, Mr. Francis was married in St. Louis to Miss Jane Perry, daughter of John D. Perry. "A man is as great as his wife will let him be, and those about the fireside have their thoughts in this hall tonight," said George J. Tansey, presiding at the farewell banquet given in honor of David R. Francis on the eve of his departure to become the American ambassador to Russia. And the 500 guests responded with prolonged and respectful applause to the toast unusual at a banquet but recognized as especially fitting on that occasion. The six stalwart sons of Mr. and Mrs. Francis are John D. Perry, David R., Charles Broaddus, Talton Turner, Thomas and Sidney R. The family is of the Presbyterian faith.

INAUGURAL ADDRESS

JANUARY 14, 1889

From the Appendix to the Journals of the General Assembly, 1889

Gentlemen of the Thirty-fifth General Assembly and Citizens of Missouri:

In assuming the duties of the office of Governor of this commonwealth I appreciate the labor it entails, the obligation it imposes, the responsibility it conveys and the dignity it possesses. A position ennobled by a long line of illustrious predecessors and consecrated through the unhampered choice of intelligent freemen, impresses me with a deep sense of gratitude for the honor conferred, and inspires me on accepting the trust with grave apprehensions as to my ability to meet its requirements.

The Constitution, State and Federal, to which we have solemnized our fealty by the oaths we have taken, are the great bills of rights, the supreme laws of the land. Their observance made it possible for us to celebrate the centennial of our independence, and will enable us within a few months to commemorate the hundredth anniversary of the inauguration of the first President of the Republic. The State Constitutions have had numerous revisions, and evidence a growing disposition on the part of the people to restrict the powers of their legislators; the Federal Constitution has been preserved in its main features as it came from the hands of its immortal framers.

FEDERAL RELATIONS

The relations between State and Federal governments, for a long time subjected to such varied and varying constructions, may be said to be established and understood, if not clearly defined. An arbitrament of arms, the costliest and bloodiest in history, decided the long contested con-

troversy and settled it to the satisfaction of the participants, as well as to the gratification of those who have come after. The indissolubility of the union is unquestioned and unquestionable, but it is a union of sovereign States with their autonomy reserved. The passions engendered by the war were inclined to ignore and trample under foot the rights of the States, but the equilibrium has been restored and there is no longer any occasion for conflict or doubt as to the especial jurisdiction of the commonwealth or the nation. No one considers the Union a federation merely, but all will concede that it is the creature of the States and can not exist without them. A system of government which permits the minority of the popular vote to control its affairs, admits the political independence of its component parts. In avoiding the Scylla of disintegration, let us not run into the Charybdis or a centralized despotism. The patriot statesmen who framed our free institutions foresaw and forewarned us of the dangers of each. Every true American will condemn and oppose any encroachment on the rights of the States or any one of them. The rights of Texas are as dear to her people and should be as jealously guarded as those of Maine. The sovereignty of Massachusetts is as inviolable as that of Mississippi. Federal enactments for the regulation and control of elections in Alabama and Louisiana should apply with equal force in Illinois and Iowa, and the same machinery for their enforcement should be provided in one as in the other. There is no occasion for alarm. The sober thought of the people is correct and true, and will countenance no unjust interference with the rights of the State in time of peace.

MISSOURI'S FUTURE

The wonderful growth and prosperity of Missouri during the past few years have attracted the attention of the Nation, and have imbued the people of the State with a firm faith in the grandeur of its future. The enactment of wise statutes and their impartial enforcement, by inducing the investment of capital and the immigration of good

citizens, can materially accelerate the development of its extensive and varied resources. No period in the history of the State has been of greater importance to its destiny than is the present. The country is throbbing with a new life. It is advancing with an increased strength, and with a quicker step. New conditions have been created and new problems present themselves. How to meet them to the advantage of the State will require the best intelligence. Affirmative and positive action is necessary if we would advance the interests of the people, and push Missouri forward to a higher place among the great States of the Nation.

As legislators you have a difficult and important task to perform, calling for the exercise of wise discretion, diligent application and unswerving fidelity. Your earnest co-operation is essential to the successful administration of the State. The session upon which you are entering promises to be a notable one. The statute laws of the State are to be revised. Legislation will be proposed on matters pertaining to education, to the collection of the revenue, the method of exercising the right of suffrage, the regulation of the liquor traffic, the regulation of railroad, telegraph, telephone, express and sleeping car companies, of banks and insurance companies, of the storage, inspection and sale of grain, the introduction of underground wire systems, the perfection of sanitary methods, the inspection of cattle, the organization and maintenance of the militia, the government of State institutions, the abolishment and creation of offices, and by no means the least important, the encouragement of immigration.

In revising the dramshop laws now in our statute books, their incongruities should be reconciled, their impracticable features eliminated, their operation made effective, and the responsibility for their enforcement should be fixed. Sumptuary legislation is unjust legislation, but the corrupting influence of the saloon on the morals of the community and the politics of the country should be checked and confined to the narrowest possible limits. The broadest

liberty consistent with the welfare of society, the peace and good will of the community, is the unquestioned right of the individual.

Respect for law is firmly rooted in the hearts of the American people, but their love of justice is inborn, and is the surest guarantee of the safety of the Republic. It has been well said that the only legitimate end of government is to protect the citizen in the enjoyment of life, liberty and property. When it assumes other functions it is usurpation and oppression. The problem is to fix and define its limits. An intelligent, self-governing people want as few laws as the welfare of the State justifies and the protection of the citizen demands.

TRUSTS

There is danger in the centralizing tendencies of business, and in the growth of monopolies and trusts which fortify themselves by the aggregation of capital, by the employment of large bodies of men, and by other influences permeating all branches of trade and classes of society. Unchecked by any feeling of individual responsibility, moved solely by a love of gain, unfettered by the duties of citizenship, they are enabled to perpetuate themselves by the adoption of methods and the use of agents which scruple at no means to accomplish their ends. The result is the crowding out of all healthy competition and the survival of the strongest, which, under this process, is by no means the fittest. This result blunts the sensibilities of the citizen, builds up and fosters classes among the people and undermines the fundamental principles upon which the governmental fabric is based. Several State Constitutions have wisely set forth that perpetuities and monopolies are contrary to the genius of a free State, and should not be allowed.

ELECTORAL REFORM

Too many safeguards can not be thrown around the manner of conducting elections. The worth of a citizen can be safely measured by the estimate he places on his right as a voter. A free and uncorrupted suffrage is the

only realization of a government by the people. That lawmaker who can devise a practical electoral reform, which by enabling and inducing the citizen to cast a free, unbiased ballot, insures the rule of the majority, will merit and receive the plaudits of his fellow-men. The growing belief in the corruption of the voter, in his fear and dependence, is destroying confidence in the Republic, and if not checked, will endanger its perpetuity. When the most precious boon of an American citizen is degraded to the level of barter and sale, our democratic professions become a mockery and our republican institutions a cheat.

The execution of the law should be firm and decisive and the administration of the affairs of the State thorough and complete. To accomplish this the Governor and his executive officers should be in accord. But the people do not confer the highest office within their gift upon any man for the sole purpose of enabling him to reward his adherents or punish his adversaries. The Governor is the representative citizen of the State, and by establishing a high moral standard of official conduct, he elevates the plane of citizenship. His view should be sufficiently broad and comprehensive to take in the interest and welfare of all classes, and he should be actuated by patriotic rather than partisan motives. To faithfully and efficiently discharge the trust of a confiding people, to promote their happiness and enhance their prosperity, is worthy of the highest ambition, and as I shall fail or succeed in accomplishing these objects, so may I be judged.

DAVID R. FRANCIS

FIRST BIENNIAL MESSAGE

JANUARY 8, 1891

From the Appendix to the Journals of the General Assembly, 1891

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, January 8, 1891.

To the Thirty-sixth General Assembly of Missouri:

Gentlemen—I welcome you heartily to the scene of your labors. Coming fresh from the people, and representing the dominant thought of the communities you hail from, you bring to the performance of your duties a sense of the needs of the time and an impulse, I hope, to labor to the best of your ability for the common good. Invested with the highest form of power, a power over the welfare of your fellow-men, you should tremble for your responsibilities when you approach the exercise of it. You meet to make provision for the wants of the government of a great commonwealth, and to shape, by the enactment or repeal of statutory law, the material fortunes of our people. I trust that your work will result in an enhancement of the prosperity of the State and the benefit, not of a class, but of the whole people.

Missouri retains her place as the fifth state in the American Union. The people of the commonwealth are to be congratulated on the large increase in population and the rapid growth in wealth and importance which mark the closing of another decade. Under any equitable apportionment of representation, Missouri will be given at least one additional member in the National Congress. The assessed taxable wealth of the State has increased $304,000,000 or 54 per cent, in the last ten years, whilst the real value of its property has grown in a much more rapid ratio, and its native wealth, as its development has progressed, more than fulfills its first glowing promise. In salubrity of climate, fertility of soil, wealth of mineral and

abundance and variety of natural resources, the State is without a superior. It has a happy people and a diffusion of plenty of which it may well be proud. That one, if not the principal class of our wealth-producing people, has not prospered as they deserve, is a source of regret and a cause for deep reflection.

The widespread discontent which pervades the agriculturists of the country is a natural result of the class legislation which has been enacted at Washington during the past thirty years. The limited supply of money by which the commerce of the country is moved and the values of its products regulated, is to be attributed to the policy of the National Government, and the State Legislatures are powerless to provide a remedy. The farmers of the country, who have suffered most in consequence of these unjust discriminations, seem to have become thoroughly aroused to a realization of their burthens, and are making concerted and intelligent effort to correct the evils from which they suffer. Their endeavors, so long as they lie within the limitations of the organic law of the commonwealth and the nation, merit the encouragement and assistance of all fair-minded men. To the extent that the State can aid, without violating the rights of others, in bettering the condition of those who contribute so materially toward her wealth and importance, all wise measures will meet my approval.

The last Legislature passed many new and important laws, which have been in operation but a short time, and some of them have not yet been passed upon by the courts of the State. It also revised the statutory law of the commonwealth and made many decided changes therein.

The condition of the State Government, as will be seen from the reports of the various departments, and from the presentation made herein, is satisfactory in a high degree. Law is observed and enforced throughout our borders, and, upon the whole, there is great occasion for felicitation.

JUDICIAL APPOINTMENTS

CONSTITUTIONAL AMENDMENT

The last General Assembly, by joint resolution, submitted to a vote of the people an amendment to the State Constitution increasing the number of judges of the Supreme Court from five to seven, and separating the court into two divisions. The amendment was ratified by the people by a vote of 168,645 for to 149,809 against, at the election of November 4, 1890, and I announced the result by proclamation on November 18, 1890. It being provided in said amendment that the additional judges should be selected by the Governor, Hon. John L. Thomas, of Jefferson county, and Hon. George B. Mcfarlane, of Audrain county, were duly appointed and commissioned, and they entered upon the discharge of their duties on the first of January, 1891. It is hoped that the addition to the court will enable that tribunal of last resort to relieve its over-crowded docket and insure to litigants and lawyers prompt adjudication.

JUDGES OF CIRCUIT AND CRIMINAL COURTS

In addition to the above appointments, it has been my duty to appoint, during the past two years, seven circuit court judges and two criminal court judges for new circuits created and to fill vacancies. These were—Hon. H. M. Ramey for division No. 2 of the circuit court of Buchanan county; Hon. John W. Henry and Hon. James Gibson for divisions Nos. 3 and 4 of the circuit court of Jackson county; Hon. Jos. L. Cravens for the Thirtieth Judicial circuit; Hon. J. A. Hockaday for the Second Judicial circuit; Hon. J. F. Green for the Twenty-sixth Judicial circuit, and Hon. A. M. Woodson for division No. 1 of the circuit court of Buchanan county, and Hon. Mordecai Oliver, judge of the Springfield criminal court, and Hon. R. A. Campbell, judge of the St. Louis Court of Criminal Correction.

TREASURY DEPARTMENT

THE NOLAND DEFALCATION

On the 28th of February, 1890, I began an examination of the treasury, reports having reached me that the funds of the State had been misapplied. On the afternoon of March 4, having satisfied myself that the Treasurer, E. T. Noland, had been guilty of malfeasance in office, I suspended him under the provisions of Arts. 1 and 2, Chap. 164 of the Revised Statutes of 1889, and appointed a committee (under section 8635, R. S.), consisting of Messrs. Charles Parsons, of St. Louis, Wm. H. Chick, of Jackson county, and F. E. Marshall, of Putnam county, to examine the condition of the treasury and report same to me. The committee met at Jefferson City on the 7th of March, and began the work assigned it, whereupon the suspended Treasurer handed me his resignation as State Treasurer of Missouri. The committee completed its labors on the night of March 12, and, as per report handed you herewith, found that E. T. Noland was indebted to the State in the sum of $32,745.69. I immediately notified Mr. Noland and his bondsmen of the shortage, and demanded on the part of the State that it be made good. The biennial report of the present Treasurer, forwarded to you by that officer, will show that the deficit, together with the interest thereon, was all paid into the treasury by the 31st of May, 1890. The same committee also made settlement with me, as acting Treasurer, for the interval between the resignation of E. T. Noland and the appointment of the new Treasurer, from March 4 to March 12, 1890. I also forward you a report of the committee on that settlement. On March 12 I appointed Lon V. Stephens, of Cooper county, State Treasurer for the unexpired term, ending the 2d Monday in January 1893. Mr. Stephens' administration of this department since his installation has been faithful and efficient, satisfactory in a high degree to those who have had business with the office,

as well as to myself, and of such nature as to justify the full confidence of the people.

On receipt from me of a copy of the report of the examining committee, the prosecuting attorney of Cole county filed information against E. T. Noland, ex-State Treasurer, charging him with embezzlement, and he was bound over to await the action of the grand jury. At the May term of the Cole county circuit court he was indicted for embezzlement of State funds, and his trial was set for December 15, 1890. The Attorney-General was directed by me (under section 627, R. S. 1889) to assist in the prosecution. On December 17 the case was continued until the first Tuesday in January, 1891, to which date the December term of the Cole county circuit court was adjourned.

BOARD OF FUND COMMISSIONERS

In the revision of the statutes made by the Thirty-fifth General Assembly the Board of Fund Commissioners was abolished, it being claimed that, as the State would have no occasion hereafter to refund its bonded indebtedness, the object of the organization of the board had been accomplished, and there was no longer any necessity for its existence. The payment of the interest on the State debt, and the redemption of the bonds as they matured, were left with the Auditor and Treasurer. The present law makes it the duty of the State Auditor, "at least fifteen days before the interest on the bonded indebtedness of the State falls due, or fifteen days before the date of any call for the redemption of bonds which are subject to call, to issue his warrant on the State Treasurer" for such amounts as may be required. The statute not providing in whose favor the warrant shall be drawn, the Auditor is compelled to draw it on the Treasurer in favor of the Treasurer, who remits the amount to the fiscal agent of the State in the city of New York. I was in grave doubt as to the advisability of the adoption of the present law at the time of its enactment, and should have withheld my approval there-

from had not the Revised Chapter in which it was incorporated provided for the reduction of State taxes for interest fund and sinking fund from 20 cents to 10 cents on the $100.

I am now of the opinion that it would be wise and proper to restore the board of fund commissioners, and to increase its number to four members by the addition of the Treasurer, who has the custody of the funds of the State and is familiar with the assets and obligations. It formerly consisted of the Governor, Auditor and Attorney-General, and had charge of the bonded indebtedness of the State and the payment of the interest thereon. Being an organized body, record was kept of its proceedings, and due form was observed in the making of requisitions on the Auditor for warrants on the Treasurer for money required to meet obligations of the State. There will be offices for the board to perform until the State debt is entirely liquidated, and the additional safeguards thrown around the treasury department by the restoration of this board will be reassuring to the people of the State, as well as a relief to the Treasurer and Auditor.

To this board could also be assigned the duty of determining the time and manner in which transfers of balances from interest fund to sinking fund, and of appropriations from revenue fund to school moneys, should be made. In this way, record of these transfers would be kept, and the Auditor and Treasurer would have written authority in the form of requisitions and warrants for making them, which they do not have under the present system.

REFUNDING OF BONDS

Under a provision of the Constitution, at least $250,000 of State indebtedness must be retired annually, and the board of fund commissioners should be authorized to purchase bonds of the State to that amount in the event maturities are not sufficient to reduce the debt at the rate specified. During the year 1890 but $218,000 of the State bonds matured, and in order to comply with the require-

ments of the constitution, the State Treasurer, with the approval of the Governor and Attorney-General, purchased $32,000 of State bonds on the market. There will be no maturities during the year 1891, and only $185,000 will mature during 1892; but $1,350,000 of 5-20 3½ per cent interest funding bonds, issued in 1886, will be subject to call during 1891, and $2,713,000 issued in 1887, will be subject to call during 1892. I recommend that the board of fund commissioners, if re-established, after retiring whatever portion of these bonds the balances in sinking fund will justify, be authorized to refund the remainder at a rate of interest not exceeding 3 per cent. In the present state of the money market it might be difficult to float a 3 per cent bond, but it may be that ere another Legislature convenes Missouri bonds, running 10-20 years, and bearing 3 per cent interest, can be sold at a good premium, and if so, an annual saving of $18,740 can be effected, after reducing the State indebtedness by $250,000 each year.

PUBLIC DEBT

The public debt has been reduced $992,000 during the past two years. The total outstanding bonded debt of the State on the 1st of January, 1891, was but $8,533,000, of which $1,533,000 bears interest at the rate of 6 per cent and the remaining $7,000,000 at 3½ per cent. The school and seminary fund, represented by State certificates of indebtedness, on January 1, 1891, was $3,683,000, of which $3,042,000 bears 6 per cent interest, and the remainder, $641,000, bears 5 per cent. Of this indebtedness $3,143,000 belongs to the State school fund and $540,000 to the State seminary fund. The total annual interest of the State amounts to $551,550. There was a balance to the credit of sinking fund on the 1st of January, 1891, of $453,168.49, and if anticipations of receipts are realized, there will be sufficient money to the credit of sinking fund and interest fund on the 15th of March, 1891, to retire the $650,000 of 3½ per cent bonds subject to call on that date, and interest

fund will still yield sufficient during 1891 to pay the interest on the remainder of the debt. I recommend, therefore, that you appropriate, at as early a date as practicable, $650,000 from interest and sinking fund to retire the aforesaid bonds.

REDUCED TAXATION

The last General Assembly fixed the rate of taxation for interest and sinking fund at ten cents on the $100, instead of twenty cents, which had been the rate theretofore, and thereby reduced the total rate of State taxation from forty to thirty cents on the $100, a twenty-five per cent reduction. The revenue derived under this rate has been sufficient to pay the expenses of the State government and the interest on the public debt, whilst the constitutional requirement of reducing the bonded debt of the State by at least $250,000 per annum has been complied with, and one-third of State revenue has been given to the public schools instead of one-fourth thereof, which is the minimum fixed by the Constitution.

ASSESSMENT FOR REVENUE

The assessed valuation of the taxable property of the State, which was $789,692,245.38 in 1888, was increased by the State Board of Equalization to $865,691,803.44 in 1890. The Constitution provides that when the assessed valuation of the taxable property of the State shall amount to $900,000,000, the rate of taxation for State revenue shall not exceed fifteen cents on the $100. If the valuation of taxable property should increase in the same ratio in the next two years as in the last two, the rate of taxation prescribed by the Constitution will not furnish sufficient revenue to defray the expenses of the State government, and provide for the maintenance of its educational and eleemosynary institutions. The interest and sinking fund tax of ten cents on the $100 should realize from the taxes of 1890 about $865,000. The present annual interest on the public debt amounts to $551,550. There will, consequently, be left a balance of about $314,000 to go to the credit of the

sinking fund. This rate of taxation of ten cents on the $100 for interest and sinking fund will therefore be sufficient to enable compliance with the constitutional requirement for the annual reduction of the debt, to meet the bonded indebtedness of the State as it matures, and the entire debt, with the exception of that which belongs to the school and seminary fund, will be retired by 1908.

ESTIMATED REQUIREMENTS

The amounts required to defray the expenses of the State government for the next two years will be presented to you in detail in the report of the Auditor. The following is an approximation of the sums in bulk:

Interest on public debt	$1,071,787
Sinking fund	1,000,000
Civil list	445,450
Educational institutions	175,000
Eleemosynary institutions	485,000
Assessing and collecting the revenue	300,000
Costs in criminal cases	550,000
Public schools (based on one-third of revenue)	1,400,000
General Assembly (pay of members and contingent expenses)	160,000
Sundry other appropriations	750,000
	$6,337,237

The estimated revenue of the next two years will exceed this amount. The surplus will be subject to your disposal.

The receipts from all sources into the State treasury for the past two years aggregated $7,151,365.91; total disbursements on warrants $6,834,377.37.

There has been collected from the State depositories during the past two years, as interest on State moneys, $18,707.56.

FINANCES

The above showing demonstrates the finances of the State are in excellent condition. Missouri bonds continue to command the highest market prices, and obligations of

the State are eagerly sought wherever secure investments for trust funds or like purposes are desired. The State taxes have been promptly paid, every collector in the State having made settlement with the Auditor by paying into the State treasury all the taxes due the State for the years 1888-89, and received his quietus therefor. This is an unparalleled record. At the incoming of the present administration, or on January 1, 1889, seventeen counties were delinquent on their accounts for the taxes of 1887, which should have been adjusted on or before March 1, 1888. The Auditor is deserving of commendation for having been instrumental in bringing about this condition of affairs. His administration has been characterized by praiseworthy diligence and close attention to the duties of his office. I refer you to the reports of the Auditor and Treasurer for a detailed account of the transactions of their offices.

LEGAL MATTERS

ST. LOUIS & SAN FRANCISCO R. R. SUIT

In January, 1890, my attention was called to a claim which the State had against the South Pacific railway company for $300,000 being the purchase price for that railroad, which the State had sold March 17, 1868. The South Pacific railroad company consolidated with, or was purchased by, the Atlantic & Pacific railway company in March, 1870, as the records in the office of the Secretary of State show. In that consolidation the Atlantic & Pacific railway company assumed the payment of the debts and obligations of the South Pacific railway company. On January 31, 1880, the Atlantic & Pacific railway company, the St. Louis & San Francisco railway company and the Atchison, Topeka & Santa Fe railway company entered into what is known as a tripartite agreement, and one of the conditions of that agreement was that the St. Louis & San Francisco railway company assumed the indebtedness and obligations, specific and general, of the Atlantic & Pacific railway company. As the 10-year period of limitation by which a claim of the

character above described is barred had almost expired when I received this information, there was little time in which to investigate the matter. The correspondence on the subject between the Attorney-General and myself, to be found in the Appendix, will give you a more detailed and comprehensive statement of the case. On receipt of the communication from the Attorney-General, to the effect that he considered the St. Louis & San Francisco railway company liable to the State for the debt, and advising that suit be brought thereon, and having had that opinion confirmed by Hon. James O. Broadhead, who was familiar with the facts and the law, I directed the Attorney-General to bring suit in the name of the State against the St. Louis & San Francisco railway company for $300,000, with 6 per cent interest thereon from maturity. Suit was instituted in the Circuit court of the City of St. Louis on January 30, 1890, and Hon. James O. Broadhead, of St. Louis, was engaged by myself, with the advice of the Attorney-General, to aid in its prosecution. The defendant filed a demurrer to the State's petition, but it was overruled and the case set for trial at the February term of the St. Louis Circuit court. The attorneys of the railroad company have notified the State of their intention to take depositions in New York and various other cities, beginning January 10, 1891. It will be necessary that an appropriation be made for prosecuting the suit and recompensing our attorney for his legal services.

THE "ANTI-TRUST" LAW

The Attorney-General has instituted proceedings in court to enforce the provisions of the anti-trust law passed by the last General Assembly, the constitutionality of which is questioned, if not strenuously denied by many of the corporations of the State. The case is still pending in the Supreme Court of Missouri, and will probably not be passed upon before you adjourn. The situation is somewhat unfortunate, as in the event the law should not be sustained, I should like to see it so amended as to check and prevent the growth of trusts and monopolies in the State of Missouri.

THE EXPRESS COMPANIES

The validity of the law passed in 1889, imposing a tax on the express companies doing business in the State, has been attacked by those corporations, and the Attorney-General has appeared on behalf of the State in the United States District court, at Kansas City, in defense of the law. The decision rendered was in favor of the State, but the express companies took an appeal to the United States Supreme Court, where the case is now pending.

OTHER SUITS

The four suits against John A. Watson, a former collector of St. Louis county, on four bonds issued by him as such collector, which were instituted about the year 1881, for the sum of $16,780.79, but for want of prosecution had been dropped from the docket, were revived early in the year 1889, and judgment obtained on August 30 of that year for the sum of $6,625.20 and costs. The amount of the judgment, $6,625.20, was paid into the State treasury on October 19, 1889.

Suit had also been begun, when the present administration was installed, on behalf of the State, in the Knox county circuit court, against the bondsmen of Peter J. Reed, ex-collector of that county, for $14,092.49. Judgment was rendered against the State by the Supreme Court because of the erasure of the name of one of the sureties on the bond.

A like action had been begun against the bondsmen of S. C. Hutchinson, ex-collector of Sullivan county for $18,-649.18. A perpetual injunction as to the collection of $4,-849.82 of that amount was granted by the Circuit court of Sullivan county, and the remainder, $14,594.96, was paid into the State treasury December 31, 1890. The injunction was granted because the judge thought Sullivan county entitled to retain $4,849.42, the amount collected as railroad taxes.

In the above important cases, as in all other matters demanding his official attention, the Attorney-General has shown commendable zeal and devotion to the interests of the State.

DISPUTED TAXES

Some of the counties have claimed the right to withhold from the State the railroad taxes collected by them on the ground that the act of March 23, 1868, authorized them to do so. The Auditor is debarred from instituting suit for such taxes by distress warrants, because his right to do so has been withdrawn by an act approved March 31, 1887. Other counties, which are entitled to the same exemption, if constitutional, have paid their railroad taxes into the State treasury. This condition of affairs should be rectified, and I recommend that legislation be enacted looking to that end. These taxes have been withheld since 1882 in the following sums by the counties named:

Buchanan	$992.06
Linn	7,986.54
Pike	23,978.72
Ralls	5,071.53
Sullivan	5,752.68
Total	$43,781.53

EDUCATION

MAINTENANCE AND COST OF SCHOOLS

The people of Missouri, in the Constitution, the organic law of the commonwealth, have manifested their estimate of the value of education by making the establishment and maintenance of free public schools obligatory on the General Assembly, and in the same instrument have provided that not less than one-fourth of the State revenue fund shall annually be applied to the support of the public schools. The last Legislature set aside one-third instead of one-

fourth of the revenue for the support of the public schools, and in addition thereto appropriated from the revenue fund $183,383 for the State University and the Normal Schools of the State, making a total appropriation for the benefit of education for the years 1889-90 of $1,514,988.99. In addition to this sum the schools derived $427,520 as interest on the public school fund and seminary fund, making a total of $1,942,508.99 paid out of the State treasury for the promotion of education in Missouri during the past two years. This is independent of the money raised in the school districts of the State by local taxation, and from county and township funds, which, for the two years—1889 and 1890—aggregated $8,646,480.23. A grand total of $10,407,656.20 paid by the people of Missouri for school purposes during the past two years.

HIGHER EDUCATION

Whilst liberal provision has been made for the support of the public schools, and whilst, no doubt, the money has been honestly disbursed, the schools could be made beneficial in a higher degree and more effective if organized into a system as complete as the limitations of the Constitution will permit. At present the funds distributed to the counties by the State are apportioned to the school districts in the counties, and, together with the district funds raised by local taxation, are, as a rule, expended by the different districts independently of each other. Very few, if any, strictly agricultural districts are provided with high schools, and the youth on the farms of the State are not afforded the facilities of free higher education which they should have, and which the children of the towns and cities enjoy. That would be wise legislation which would link together the primary and secondary schools of the State, and in my judgment Missouri could afford to offer to the youth of the State, free of charge, thorough education in its highest branches, whether agricultural or scientific. But, in any event, there should be more uniformity in the course of

study of the public schools of the State, and in bringing this about, good can be accomplished in other ways, and expense saved to parents in a reduction of the cost of text-books.

TEXT-BOOKS

It is claimed, and I think on good grounds, that the people of the State are compelled to pay exorbitant prices for school-books for their children. That there is no way of escaping expenses of this nature in a free government of which education is the corner-stone, goes without saying, but there is no reason why that expense should be made greater than there is absolute necessity for. It has never been the policy of the State to furnish books free of charge to the children who attend the schools, nor should it be. It is desirable, however, to lessen in every way possible the cost of educating the rising generation, and I believe the Legislature should make an effort to secure school-books at the lowest possible cost for the people of the State. It has been charged that there is a "trust" or "combine" among the publishers of school-books, for the purpose of keeping up the prices. Some contend that the State itself should publish, by convict labor or otherwise, the text-books used in its public schools, but that plan I do not think practicable at this time, if advisable under any circumstances. Such a policy, paternal in its nature, would be foreign to the object of government, as I view it. There can be no objection, however, to the State tendering its good services and powerful aid to the people in order to checkmate the sinister designs of combined capital. If some arrangement could be made whereby all the school-books used in the State could be purchased through one channel, the magnitude of the demand would prove effective in reducing the cost. To better accomplish this there should be some uniformity in the course of study and the text-books used in the public schools. At present not only the different counties, but in many instances different school districts in the same county, use different classes of text-

books and pursue different courses of study. Unnecessary expense is imposed on every citizen who removes from one school district to another, and often a change of teachers results in a change of text-books. I am not prepared to advocate imposing, at once, upon parents and others, the great expense of purchasing new text-books which an absolute determination on the course of study and kind of text-books to be used would entail, but I think it is advisable that a commission should be created for the selection of text-books, to be gradually introduced and used in the public schools of the State, and that either the State Board of Education, or another commission to be appointed for that purpose, should be authorized to solicit bids and make contracts with the publishers for delivery of the text-books decided on to the children in the different counties of the State. I believe that such a method would materially decrease the cost of school-books to the people of the State and remedy many objections that are now being justly urged against the erroneous teachings conveyed in some of the text-books in use in our public schools. The commission upon whom would devolve the duty of selecting text-books would be governed in their choice by the matter therein, as well as by the cost thereof, and it is safe to say that no text-books would be selected in which erroneous teachings were conveyed.

STATE UNIVERSITY

The State University should be the pride of the commonwealth. Its care is enjoined upon the people in the act admitting Missouri to the Union. I should like to see Missouri have a university which could offer educational advantages second to none, and which, by the munificence of the State, would be placed upon a sure foundation—a university commensurate with the wealth, the importance, dignity and population of the State. If it were admissible, under the constitution, to endow the University of Missouri so as to place it in an independent position, and to enable it to offer the highest education gratuitously to our youth, it

would be a monument to the intelligence of our people and a bulwark of safety to the State.

The report of the curators, which will be forwarded to you, gives in detail the present condition of the University and its requirements. The members of that board, appointed under the revised law of 1889, have devoted considerable time and attention to their duties, and have at all times been alive to the interests of the institution. The resignation of the late president, Dr. S. S. Laws, went into effect July 1, 1889, and since that time Dr. M. M. Fisher as chairman of the faculty, elected by the board, has performed the duties of president to the satisfaction of the curators and with credit to himself. Within the past month the presidency has been offered to Dr. R. H. Jesse, of Tulane University, Louisiana, a learned educator of great executive ability, and it is thought he will accept the position and enter upon the discharge of its duties in July of the present year.

AGRICULTURAL COLLEGE

The attendance at the Agricultural college is by no means as great as the merits of the institution deserve, or the interests of agriculture require. Boys should be educated for the farm as well as for the professions. The present dean of the faculty, Dr. Porter, who was elected in 1889, has presented to the board of curators a plan for the reorganization of the college, which has been adopted, and if carried out, will largely increase the attendance of pupils. It necessitates an appropriation by your honorable body of a sum sufficient to erect buildings and provide other means for carrying out the objects of this branch of the University. In addition to the annual appropriation of $15,000 made by the National government and accepted by the Thirty-fifth General Assembly, an appropriation was made by the Fifty-first Congress, in a bill approved August 30, 1890, by which $15,000 for the first year was given to Missouri to aid schools for the study of agriculture and the mechanic arts. That donation is to be increased $1,000 annually until it reaches $25,000, and is made perpetual, but subject to repeal. A

copy of the bill and of the correspondence will be forwarded to you with a separate message on this subject when a definite and final reply is received from the Secretary of the Interior.

I desire to call your attention to that portion of the report of the board of curators which claims that the State is indebted to the University in the sum of $20,343.24, paid out of the Agricultural college fund since 1877, for expenses incurred in the sale of lands donated by act of Congress of July 2, 1862, on condition that the State would pay out of its revenue all the expenses of such sales, and "that the entire proceeds of the sales of such lands shall be applied, without any diminution whatever," to the purposes of the grant. The request of the board that a State certificate of indebtedness for the amount of the claim be issued is timely and fair.

NORMAL SCHOOLS

Missouri supports three normal schools for the education of teachers in her public schools. The attendance at each one during the past two years has been good, and most of the counties in the district where the school is located have been represented thereat. Forty-eight counties had pupils at Normal school No. 1, at Kirksville; fifty counties at Normal school No. 2, at Warrensburg, and twenty-seven counties at Normal school No. 3, at Cape Girardeau. So far as I have been able to learn these schools have all been conducted with desire and effort to carry out the objects of their establishment. The regents, who serve without remuneration, have been regular in their attendance at board meetings, and all evince a deep interest in the trust committed to their charge.

LINCOLN INSTITUTE

This school is a State institution maintained for the education of colored teachers. It is located at Jefferson City, and at the beginning of the present year had 180 pupils. The annual commencements, which are held in the Hall of the

House of Representatives at the capitol, give evidence of the efficiency and ability of the principal and his assistants, as well as the application and advancement of the students. The appropriation made by the National Government for the aid of colleges of agriculture and the mechanic arts is conditioned on a portion thereof being applied to the education of colored children in these branches. It may become necessary to change the course of study in this institution so as to include agriculture and the mechanic arts in order to comply with the conditions of the appropriation.

STATE BOARD OF AGRICULTURE

TEXAS FEVER QUARANTINE

Under the Veterinary act passed by the last General Assembly, I called to meet at the capitol on March 15, 1890, the Veterinary Surgeon and the State Board of Agriculture, having been informed by the Veterinarian that the interests of our people demanded that Missouri should quarantine against Southern cattle. Upon presentation of facts to the board it recommended the establishment of quarantine, and framed rules and regulations under which stock could be conveyed from the infected district to or through this State. I approved of same and issued a quarantine proclamation immediately. In the report of the Veterinarian as to the effect of the quarantine, made to me in September, he states that it was very beneficial, and that "we have not had to this date this year 10 per cent of the number of cases of fever that we had last year to the corresponding date." The regulations could not be enforced after the 1st of September, because at that date the appropriation of $7,000 per annum for the purpose was exhausted, and, by the construction of the bill, the $4,000 of the unexpended appropriation of 1889 for the same purpose could not be used. It is advisable that a similar appropriation be made for the years 1891 and 1892, and that the entire amount be made available during any portion of the period named.

STATE VETERINARIAN

Under the Veterinary act of 1889, the duties and powers of this officer were greatly increased. The appropriation of $7,000 per annum for preventing the spread of contagious diseases among stock in Missouri was placed at his disposal, and in the same bill an appropriation of $15,000 per annum was made for paying the owners of diseased stock killed by his orders. The same act authorized the Governor to send a veterinary surgeon to any state or territory to investigate such dangerous or infectious diseases as might exist there. During the month of May, 1890, I ordered him to go to Texas and investigate and report upon the result of experiments he had been making in the inoculation of Missouri cattle for importation to Texas. He had assured me that he believed Missouri cattle could be inoculated so that when taken to Texas they would not become infected with the fever of that section, or would take it in a modified form, if at all. His report states that as the result of his experiments and investigation he found his "vaccinated stock doing well several months after exposure among infectious cattle, in the vicinity of which Northern cattle not so vaccinated had perished at the rate of about 57 per cent." The result of these experiments and investigations, published in Bulletin No. 11 on Texas Fever, show a decided advance in veterinary science, are highly creditable to Dr. Paquin, and are calculated to be of great benefit to those of our citizens engaged in the cattle industry.

THE PENITENTIARY

CONVICT LABOR

This institution has always been a source of great care to the State, and its maintenance a necessary burthen, entailing considerable expense. The system of convict labor which has been in vogue in Missouri for years past presents many objectionable features, but it has come nearer

making penal institutions self-sustaining than any method yet tried. If it were feasible, I should favor the employment of the State's prisoners exclusively on public works. It would not be just to them nor to the tax-payers to support them in idleness, nor would it be promotive of good order to do so. I have thought seriously of recommending to your honorable body that these violators of law be employed in making a system of roads throughout the State, but so many valid objections can be urged against the practicability of such a policy, and it would be susceptible to so many abuses, that I cannot see my way clear to urge it. I am not thoroughly satisfied with the present system, but as I can decide upon no other feasible one to suggest, shall content myself with requesting that the present practice of hiring convicts to compete with free labor be considered only a make-shift until some better method can be devised.

MAINTENANCE AND EARNINGS

The management of the penitentiary during the past two years shows a record that will compare favorably not only with that of previous years, but with that of any penal institution in the land. It is a just cause for pride to the Warden, and creditable to the Board of Inspectors.

At the beginning of the present administration the prisoners numbered 1,831. The number had increased to 1,860 on the 31st of December, 1889, but on the 31st of December, 1890, it had fallen off to 1,686. The number of commitments, which was 840 in 1888 and 814 in 1889, was only 634 in 1890. Below is presented a table compiled from a special report made to me of the earnings and expenses of the institution during the past two years, and comparisons with those of the previous four years:

	1885-1886.	1887-1888.	1889-1890.
Subsistence	$146,525 54	$142,109.00	$130,186 23
Per capita per diem	12.41	11.60	10 01
Cost of clothing in use and consumed	37,678.28	36,498.92	30,821.13
Per capita per diem	03.19	03.00	02.37
Fuel and lights	45,294.45	54,244.85	57,729.70
Per capita per diem	03 84	04.43	04 44
Salaries, officers and employes	129,522.93	154,095 54	152,884 39
Per capita per diem	10.98	12.57	11 75
Total daily average cost of each inmate	34.45	36 00	33.78
Earnings from contract labor	252,188 05	309,536.73	355,900 14
Daily average earnings each inmate	21.36	25.26	27 36
Total cost of maintenance	406,691.33	441,045.27	439,498.17
Average number of convicts employed by contract	808	974	1,122
Revenue per day from employment of convicts	405.45	497.65	573 11

From the above figures it will be seen that not only have the earnings been increased, but the cost of maintenance reduced. Of the appropriation of $175,000 made by your predecessors for payment of officers and employes, building new shops, etc., $44,789.26 is unexpended, and reverts to the treasury.

Two new shops have been erected during the past two years.

PARDONS

The cases in which executive clemency has been extended since my inauguration, January 14, 1889, are set forth in detail in a separate message to you on this subject. The pardoning power given the Governor by the Constitution is one of his highest prerogatives, and should be exercised conscientiously, and with a view of protecting society and redeeming the individual. The shortening of a sentence in the case of a circumstantial offender is calculated to have a reforming effect, especially if conditioned on a change of surroundings and associations, whilst hardened criminals

should be made to pay the full penalty of the law. The statutes, of necessity, impose the same punishment on all persons for like offenses, and the Governor, after sentence is passed, has the sole power to mitigate its severity by a discriminating exercise of clemency.

WELFARE OF THE INMATES

The population of our penitentiary is greater than that of any single prison in the United States. It is no easy matter to care for the material and mental welfare of 1,700 prisoners, and it may be said that there are few penal institutions where the wants of the inmates are more conscientiously provided for than in this one. The cells in the new building are well ventilated and well lighted, while those in the old are kept clean and neat. Personal cleanliness is a rule rigidly enforced. The food served is wholesome and abundant, as it is desirable that every inmate keep his health and strength. The work is limited to ten hours a day in summer and eight in winter—an average of nine the year round. The change from freedom to confinement tells on the physique of the prisoners, but it may be said that the regular life enforced on them restores many a constitution shattered by dissipation.

The daily average number of patients in the hospital for the years 1889-1890 was about fifty. The number of deaths was fifty-three. The health of the inmates was carefully looked after by the late Dr. M. B. Lewellen, a brilliant young physician, who was suddenly stricken down and died a few weeks since.

EDUCATIONAL FACILITIES

As ignorance is the mother of crime, and as moral improvement follows mental improvement, it is the aim of this administration to provide good educational facilities for the prisoners. The library is too small at present, and the establishment of a night school at the prison is very desirable. The Chaplain, Rev. Dr. Gauss, has given up his church here that he might give more time to his duties at the prison.

ELEEMOSYNARY INSTITUTIONS

APPROPRIATIONS FOR SUPPORT

The bill passed by the last General Assembly regulating the conduct of these institutions made some radical changes in their government, and particularly in the manner of procuring their supplies and drawing their appropriations. Experience has shown that the change was wise, as, besides resulting in good for the interests of the State, it has eliminated, to a great extent, the causes of controversy which seemed to follow the location of a State institution. The report of the committee appointed by me to inspect the various institutions of the State will give you more in detail their present condition and needs. You will have to be the judge of the demands they may make upon the State revenue for extraordinary improvements. Missouri has always provided liberally for the care of her helpless and afflicted. The amount appropriated for the support of our eleemosynary institutions during the past two years was $623,458.

SCHOOL FOR THE BLIND

The School for the Blind in St. Louis makes no request for appropriations for improvements. Its inmates are supported entirely at the cost of the State. It has been conducted with economy and the pupils have derived great benefit from the instruction given. This charity is a most worthy one.

REFORM SCHOOL FOR BOYS

The Reform School for Boys at Boonville is in a flourishing condition, with 107 inmates. The board asks for the erection of several additional buildings, which the increase in the commitments and the proper care of the boys justify. I believe that an institution of this nature is calculated to do much good. The boys confined therein are subject to good influences, are taught to discriminate between right and wrong and trained in habits of industry. One hundred and

thirty-eight boys altogether have been committed since the opening of the school, and the superintendent informs me that nearly, if not quite, all of those who have been released are leading exemplary lives and are a valuable addition to society. I have in no case exercised the pardoning power in releasing boys from the Reform school, but have left that entirely with the board, which has adopted the policy of discharging only such as merited reward by good conduct and evidence of reform. The board furthermore has required satisfactory assurances as to the future associations and employment of the boys released before permitting them to leave the institution.

GIRLS' INDUSTRIAL HOME

The law regulating the commitment of girls to the Industrial Home requires that a girl should be convicted of a crime before she can be sent to the Home. Institutions of this kind in other States permit the commitment of girls who are abandoned or without proper care or good associations. It cannot be said that there is great necessity for such a charity in Missouri, because the number of that class in the State is not great and private institutions nearly cover this field. The number of inmates at present is only nine, and there have been only eleven altogether since the opening of the Home in January, 1889. The State has made an outlay of nearly $40,000, and appropriated $8,000 for maintenance in 1889. The board of managers has exercised all the economy possible under the circumstances, not having drawn any of the $8,000 appropriation, and having still unexpended over $1,500 of the appropriation of 1887. If the State does not desire to undertake the care of the abandoned girls with improper associations, it is not good policy to continue to maintain this institution upon the same scale as heretofore. Similar institutions are maintained in other States at much greater expense to the public treasury, but the number of inmates is larger, and they do not require that girls commit violations of law before being sent to the Home.

ASYLUMS FOR THE INSANE

The three lunatic asylums of the State, located at Fulton, St. Joseph and Nevada, and the St. Louis lunatic asylum, will make biennial reports to the Legislature, as required by the statutes, and therein will give information as to the condition of the buildings, the number of inmates in each, cost of maintenance and requirements for repairs and additions. From the best information I can obtain concerning the management of these institutions, and from personal inspection, I can testify that they are conducted economically, humanely and intelligently. The boards of managers are representative citizens who are attentive to their duties and sensible to the obligations their office imposes. I am confident that you, following the example of your predecessors, will give careful attention to the necessities of these public charities, and meet their just demands.

SCHOOL FOR THE DEAF AND DUMB

The appropriations made by the last Legislature for extraordinary improvements and the erection of additions at this school have been expended judiciously and carefully by a conscientious board of managers, who will make to the General Assembly a full report of their stewardship. The cost of maintaining the inmates is borne almost exclusively by the State. It is a worthy charity, however, and a proper one for the State to support.

STATE DEPARTMENTS

SECRETARY OF STATE

The duties of this office have been materially increased during the past two years. The enactment of the Australian election law and the "anti-trust" law imposed additional responsibilities on the Secretary of State. It is the duty of the Secretary to publish and distribute the session acts and the Revised Statutes of the State, and the revision of 1889 entailed upon him a very large amount of work. A detailed

statement of the management of the department will be given you in the report of the examining committee appointed by me to settle with the Auditor and Treasurer and investigate the condition of the other departments. The present incumbent of this office has been fully equal to the multifarious obligations devolving upon him. Painstaking, conscientious and industrious, he has conducted the business of the office in a highly satisfactory manner.

RAILROAD AND WAREHOUSE COMMISSIONERS

The report of this department will show that it has exercised the extended powers conferred upon it by the legislation of 1887 in ordering reduction of rates in many instances, which resulted in great benefit to the people. The duties of the commission were increased by the last Legislature, which gave it supervision over the public grain warehouses in the State and placed the inspection of grain in Missouri under the control of this board. The producers of grain throughout the State express satisfaction with the administration of the grain-inspection department, and the new system seems to have worked advantageously to all interested.

INSURANCE DEPARTMENT

Material changes in the conduct and regulation of this department and in the taxes imposed on insurance companies were made by the Thirty-fifth General Assembly. I refer you to the report of the Superintendent of the Insurance department, which will give you a detailed statement of the receipts and expenditures of his office, and call your attention to some important changes in the law recommended by him. The fees paid to the Superintendent during the past two years by insurance companies doing business in the State aggregate $50,571.65 and on January 1, 1891, there was a credit in the Treasury to insurance fund of $33,761.56 after the appropriation made for the expenses of the office for the two years had been paid out of the fund. Insurance companies are compelled to pay a tax on premi-

ums collected in Missouri, in addition to the fees paid the Superintendent as license for doing business in the State. The Legislature of 1889 changed the rate of taxation from 1% on net premiums to 2% on gross premiums, and it resulted in an increase of about $50,000 to the State revenue of 1890 over the receipts from the same sources for the previous year.

The business of the department has been largely increased, and has been conducted with efficiency and fidelity; its affairs have been administered with impartiality and firmness, and with a view to protecting the interests of the insured as well as those of the State.

REGISTER OF LANDS

I shall forward to you the report of this department, made to me by the Register as the law provides. From it you will observe that the present incumbent of that office recommends that it be abolished after the expiration of his term in January, 1893. I coincide in this view and recommend that the duties of the office be assigned the Secretary of State. The faithful service of the Register, as well as the proper systematizing of the records of the office, justifies its continuance for the next two years.

SUPERINTENDENT OF PUBLIC SCHOOLS

The report of this department for 1889, which was made to me, will be forwarded to you from this office. The report of 1890 will be made by the Superintendent direct to the General Assembly. I ask your careful attention to the valuable information and pertinent suggestions made in those reports. They will give you a thorough account of the condition of the Normal schools of the State. The educational interests of our people have been looked after with conscientious care.

NATIONAL GUARD

The Adjutant-General has devoted close attention to the organization and improvement of the National Guard during the past two years, and the condition of this branch of the Government was never better than at the present time. It has been maintained without expense to the State through the appropriation of ordnance and quartermaster supplies made by the United States government, and by the liberal contributions of public-spirited citizens. The Federal government gives to the State annually about $15,000 in clothing, equipments and ordnance stores, on condition that the organization numbers 1,600 enlisted men, or at least 100 for every representative that Missouri has in the National Congress. There are on the rolls at present about 1,900 men, fourteen new companies having been organized, and two companies and one troop of cavalry having been disbanded since the incoming of the present administration. The interest throughout the State in a well-organized National Guard is increasing, and all of the companies in the service are the pride of their respective communities. Many applications from various cities and towns for the privilege of organizing companies have been denied, and none have been formed that were not composed of good citizens, ready and willing at all times to obey the call of the State.

The Cadet corps of the State university, authorized by an act of the last Legislature, was organized in September, 1890, and is in the most flourishing condition, numbering 172 members. The State furnishes uniforms to this corps out of its appropriation from the National government. One hundred and fifteen members of the Thirty-fifth General Assembly availed themselves of the privilege accorded under the law of selecting a student at the University who should be a member of this corps, and in many cases, I am informed, there were several applicants for the scholarship. There is no reason why the number of scholarships of this nature should not be increased, and I suggest that it be done

by permitting each Senator to name two students, and authorizing the Governor to select one from each congressional district.

That there has been no call for the services of the National Guard during the past two years is no reason why it should not be encouraged and maintained. A knowledge of military science in a country where every citizen should be qualified for the duties of a soldier, as well as the maintenance of a well-equipped citizen soldiery, is of inestimable value to the Government and of the greatest protection to society. Liberal appropriations for the support of the State National Guard are made in all of the states except three, and I am decidedly of the opinion that Missouri could well afford to pursue a generous policy toward those of her citizens who, at the sacrifice of time and means, have maintained a military organization subject to the orders of the State.

LABOR BUREAU

The Labor Commissioner's reports for the years 1889-90 are replete with information on the subject of labor. The Mine Inspector's report accompanies them. The Commissioner points out a number of evils from which workingmen suffer, notably that of long-deferred payment of wages, to remedy which he proposes a weekly-payment law. Very few strikes have occurred during the past two years, and the Commissioner gives particulars of these. Interesting statistics are presented as to factory and mining life, and a valuable economic feature is added to the reports in statistics on the personal and living expenses of workingmen and their homes and surroundings, under the caption of "Family Budgets." It is due to the Commissioner to say that, in addition to collecting and collating valuable data on the subject of labor, he has given intelligent and zealous attention to the interests of the laboring people of the State.

GEOLOGICAL SURVEY

The last General Assembly established a Bureau of Geology and Mines, to be under the direction and in charge of a board of five managers, who were authorized to appoint a State Geologist, for the purpose of carrying on "a thorough geological and mineralogical survey of the State." The board organized, and on the 29th of August, 1889, elected as State Geologist, Mr. Arthur Winslow, who was at that time engaged on the Arkansas geological survey, and who had a well-earned reputation as a practical geologist of fine technical training. On the 20th of September the Geologist was sworn in, and the survey was begun as soon thereafter as plans could be formulated and put into operation. Three bulletins, giving valuable information concerning the geological formation and mineral resources of the State, have been prepared, one of them issued, and the other two will be ready for distribution within a few days. The monthly reports of the progress of the work, as made to the board by the Geologist, have been published in the press of the State, and the work has been pushed with intelligence and judgment, and with as much vigor as the limited appropriation and the nature of the undertaking would admit of. A detailed account of the progress of the work, and the expenditures made, will be furnished you in the report of the board of managers.

I am strongly of the belief that much good will result from a thorough survey of the State, and recommend that an increased appropriation be made to permit the work to go on. Any failure to provide additional funds at this time would necessitate a cessation of the plan and entail considerable loss on the State, as it would hardly be possible to reengage the present efficient force after a lapse of two years, and many of the equipments that have been procured would not be in condition for use if preserved during the interval. As the law provides, the Geologist has begun a collection of the rocks, ores, fossils and other mineral substances of the State. The cabinet is located at the Survey head-

quarters in the capitol. It is especially desirable that this work be continued now, in order that Missouri may be able to make a creditable display of her mineral resources at the World's fair of 1892.

STATE BOARD OF AGRICULTURE

The report of this board, which will be presented to you, will show the work it has performed during the past two years. At present, membership in the board is perpetual. The members request, however, that a term of office (six years) be fixed and the board be completely reorganized. They suggest that, in addition to the *ex officio* members, the board consist of one member from each congressional district, and that the terms of about one-third of those appointed shall expire every two years. They ask that the State Board of Agriculture be given authority to examine the Agricultural and Mechanical college and Experiment station, and the accounts of the treasurer thereof, with a view to ascertaining the manner in which the Agricultural college fund is expended. They recommend that the appointment of the State Veterinarian and the charge of the veterinary service of the State, in so far as at present vested in the board of curators of the State university, be transferred to the State Board of Agriculture. These requests are reasonable and proper, and I recommend that they be granted. It is not designed to divest the board of curators of the control of the Agricultural college, but merely to give the State Board of Agriculture a supervisory care of that institution, with a view of advising as to the course of study to be adopted for agricultural training.

BOARD OF HEALTH

The reports of the State Board of Health for the years 1889-90 are interesting and instructive. Complaint is made in the former that, owing to defective legislation, it has been practically impossible for the board to secure observance of the requirements of the law respecting the reports

of deaths and births every thirty days by the physicians of the State. It is to the interest of society, as well as of moment to the State, to have every birth and death properly certified to, that crime may not be committed with impunity, and that people may be informed as to weak sanitary spots in the State. A thorough sanitary organization by counties would be great benefit to the people, and it is well said that more interest is taken in the prevention of the spread of contagious diseases among cattle than among human beings.

The health of the people of Missouri for 1889-90 was above the average; no destructive epidemics of local origin prevailed, and no foreign pestilence widely fatal in character reached our borders. But the lack of local organization in the State would have prevented any systematic effort to stamp out an epidemic had we been attacked by one, and as it is best in time of peace to prepare for war, legislation looking to the establishment of local boards of health should be adopted. The State Board of Health needs an arm in every county to assist in bettering the sanitary condition of the State and improving the health of the people.

The board asks that legislation be enacted to prevent the sale of imitation food products, and authorizing the employment of a chemist to analyze articles exposed for sale as food products; also public water supplies, mineral waters, drugs and patent medicines.

Hon. Wm. Gentry, of Pettis county, who was President of the board, and who, during a long term of service, took an active and intelligent interest in its work, died in July, 1890.

FISH COMMISSION

An acre of water, it is said, may be made to produce more money in fish than can be realized from ten acres of soil in any kind of grain. The necessity for properly maintaining the State Fish Commission is therefore apparent. The Commissioners aver that the appropriation of $3,000 per annum is inadequate, and that $5,000 a year should be set aside for the expenses of the Commission. Legislation

prohibiting the seining of our streams for eleven months in the year, now permitted, should be enacted, and more rigid measures taken toward suppressing the wholesale destruction of fish by dynamite. The Commission has planted fish all over the State, and is constantly in receipt of requests for more. Neighboring States make liberal appropriations for the encouragement of fish culture. Our people pay too little attention to the development of this means of supplying a valuable food. Fish can be propagated in our streams at very small expense.

NEW LEGISLATION

THE AUSTRALIAN ELECTION LAW

The Legislature of 1889 amended the election law very materially and introduced innovations whose operations and effect were seriously questioned by many conservative people. What is commonly called the "Australian" system of voting was adopted for cities of 5,000 inhabitants and over. In every city where the law was applicable its operation proved highly satisfactory, and that which was thought to be a dangerous experiment has proved to be a salutary reform. A free and uncorrupted ballot is the foundation of our institutions, and too many safeguards cannot be thrown around it. On the 4th of November, 1890, I made a close and careful inspection of the operation of the law in one of our large cities, with the result that I can testify to the excellent effects of the new system. Many, if not all, of the disagreeable features of voting under the old law are done away with, and the citizen is insured, in the casting of his ballot, complete immunity from the annoying solicitations of hired supporters of the various parties or candidates, and complete secrecy in the selection of the nominees for public office that he desires to vote for. These evils being corrected, there is no reason now why every citizen should not discharge his duty by going to the polls and casting a free ballot.

There are some imperfections in the law as it exists at present, to which your attention will doubtless be called, and which can be remedied without impairing its good features. In this law the State recognizes party organizations, and in printing the tickets to be voted must determine what names to place thereon as party nominees. Provision should be made for settling controversies in the event of the disruption of a convention or dissensions in a party which its members are unable to adjust, resulting in the presentation to the Secretary of State, or officers authorized to print tickets, of two or more candidates, each claiming to be the party nominee.

Demands are numerous that this law should be made applicable to every county in the State, and many good reasons can be urged why it should be done, whilst no valid objection has been presented why it should not. Everything possible should be done to protect the citizen in the free exercise of this precious right, and no ground should be left for the charge that the result of an election is not the free expression of the will of the people.

If, in your wisdom, you should determine to require that all party nominees whose names are printed upon tickets furnished by the State must be nominated by primary elections held under the State law, either by vote of the people direct, or that the members composing the convention which makes the nomination should be chosen by primary elections held under the State law, I think you would have the authority to do so. Such a course would meet the objections sometimes urged to the effect that the party nominees are not the choice of a majority of the party. In the event that you should enact such a law, I believe it should be confined in its application at present to cities of 5,000 or more population.

TRUSTS AND CORPORATIONS

In addressing the General Assembly two years ago, I expressed my convictions on the subject of trusts, in words which I now repeat, as since that time my views have not changed:

"There is danger in the centralizing tendencies of business, and in the growth of monopolies and trusts which fortify themselves by the aggregation of capital, by the employment of large bodies of men, and by other influences permeating all branches of trade and classes of society. Unchecked by any feeling of individual responsibility, moved solely by a love of gain, unfettered by the duties of citizenship, they are enabled to perpetuate themselves by the adoption of methods and the use of agents which scruple at no means to accomplish their ends. The result is the crowding out of healthy competition and the survival of the strongest, which, under this process, is by no means the fittest. This result blunts the sensibilities of the citizen, builds up and fosters classes among the people and undermines the fundamental principles upon which the governmental fabric is based. Several State Constitutions have wisely set forth that perpetuities and monopolies are contrary to the genius of a free State, and should not be allowed."

Corporations were created by the State to serve good purposes, and in many instances perform offices of public benefit and necessity that individuals would not or could not accomplish. It was never intended by the founders of our government, however, that corporations should usurp or supplant the functions of a citizen, or relieve him of personal responsibilities, nor is it promotive of the common weal that they should. The corporation laws of Missouri are superior in many respects to those of our sister States, but it is claimed, and on good grounds, that the too frequent practice of forming private corporations for the purpose of engaging in undertakings which are proper objects for individual endeavor, is a perversion of the spirit of those laws and will result, if permitted to continue, in great injury to the State. If the custom of incorporating business enterprises to the extent that it is now followed in mercantile and other pursuits were carried into the field of agriculture the result would be that large bodies of land would be owned by companies and tilled by tenantry. The ownership would not

then be vested in him who cultivated the land; the home, if preserved, would be less dear to him who occupied it; the best incentives to good citizenship would thereby be eradicated and patriotism would be subdued if not extinguished.

IMMIGRATION

The present statutes contain a chapter on immigration, providing for a board of commissioners, and prescribing its duties, but the law has been a dead-letter for several years past on account of the failure of the Legislature to make appropriation for the maintenance of the board. Other southern and western States are making active effort to make known their respective advantages and resources and attract immigration. Missouri, which is second to none in native wealth, healthful climate, and all that contributes toward the making of happy homes and good citizens, should see to it that the world is fully advised of its merits and capacities. Perhaps the revenue of the State and the demands upon it will not justify the maintenance of a fully-equipped bureau for this work, but there should be an authoritative and responsible department whose duty it would be to collate, systematize and promulgate information concerning the State, which, if known, would result in a large increase of population and a marked appreciation of values.

A board composed of the Secretary of State, the Secretary of the State Board of Agriculture, the State Geologist and Labor Commissioner, and the Governor, if thought advisable, together with five additional members, to be appointed by the Governor, and representing different interests, could, with the aid of a small appropriation, not only satisfy all inquirers for information, but disseminate valuable and interesting intelligence concerning a State whose material greatness is superior to that of any in the country, and whose attractions are too little known. If the appropriation for public printing is not increased so as to admit of necessary expenditures for this purpose, the board, if created, should have a liberal allowance to pay for the

publication and distribution of such documents as it could prepare. The money would be well spent, and would yield an ample return.

ROCK ROADS

I know of nothing that would be more beneficial to the State than a comprehensive system of rock roads. The wagon-road is the farmer's railroad, the avenue through which all of his products are carried to market, and upon its maintenance and use the prosperity of the town depends. The present law authorizes the construction of macadamized roads, but it has not been taken advantage of to the extent that the interests of our people demand. Most of the roads throughout the State are impassable for many months in the year, and usually at seasons when their use is most desirable to the farmer. I am convinced that the welfare of our people would be greatly enhanced and the general prosperity of the State would be materially accelerated if some plan could be devised whereby the construction of rock roads would be made obligatory upon every county in the State. If material aid could be extended from the State treasury within the limits of the constitution, I believe the expenditure would be a wise one, and that the cities and sections which have already at their own expense made great advancement in this direction would cheerfully bear their portion of the burden. The aid should be extended only, however, on the condition that the county, and the property-owners in the districts where the roads are located, would contribute sufficient additional means to insure their construction. There is one feature of the present road law which could be amended to advantage, and that is the payment of road-tax by individual labor. If it were supplanted by a system of private contracts, much better roads would result without any increased expenditure of money. It is sincerely to be hoped that, during the present session of our Legislature, some comprehensive plan may be devised whereby these desirable ends can be accomplished.

DIVORCE LAWS

The severance of the marriage-bond has become so common in this country that it behooves our law-makers to consider the subject of divorce, lest its frequency may jeopardize the integrity of the home, which is the nucleus of our civilization and the safeguard of society. The American Bar association, at its last annual meeting, called attention to the variance in the divorce laws of the different states and the evils resulting therefrom, and appointed a committee to bring about a greater uniformity therein. The State of New York has appointed a commission to act in concert with similar authorities of other states, and a great good might be accomplished and the citizens of our state protected if a uniform system of divorce laws could be adopted and legal separations made less easy. I suggest that you authorize the appointment of a commission to communicate with similar commissions of other states, and to attend an inter-state conference in the event one should be called, for the purpose of effecting a greater uniformity of State laws.

RAILROAD SWITCHES, FROG AND GUARD RAILS

Section 2629 of the Revised Statutes of 1889, makes it obligatory upon railroads in the State "to adopt and put in use the best known appliances or inventions to fill or block all switches, frogs and guard-rails on their roads;" but the following section, No. 2628, imposes as the only penalty for failure to do so that, in the event of damage resulting therefrom the railroad cannot claim exemption from liability on account of contributory negligence or carelessness on the part of any employe or other person. The railroad operatives claim that frogs and switches, if left unlocked, are a constant menace to life and limb, and they request that legislation be enacted which, by imposing a penalty of fine or imprisonment, will compel the railroads to comply with the requirements of the statutes on this subject. I believe the demand just and recommend that it be granted.

SAVINGS BANKS

It is an occasion for frequent remark that there are no savings banks in Missouri. In many other States less populous, and not so wealthy, there are institutions of this character which have a deposit of millions of dollars of the frugal poor. Several movements have been started looking toward the establishment of savings banks in Missouri in order that people of small means might be afforded opportunity to provide for misfortune, and that the improvident might be led to form habits of economy. In every instance, however, the effort has failed, and the cause assigned was the imperfection or inadequacy of the laws of the State governing such depositories. I desire to call your attention to the subject and hope you will amend the present law so as to encourage the founding of such beneficial institutions.

CAPITOL IMPROVEMENT

The site occupied by the State capitol is an exceptionally fine one, and is worthy of embellishment at the hands of the State. The stone wall begun on the north side of the grounds has not been completed, because no appropriation was made for that especial purpose, and the Supreme court decided that the balance in the capitol improvement fund could not be used for the construction of the wall. The work begun should be continued until finished, for the protection of the capitol itself, if not to improve the appearance of the State grounds. I also recommend that provision be made for the construction of steps and a western entrance to the capitol park.

In May, 1890, the roof of the south wing of the capitol was twice blown away by very high wind-storms, and as the interior of the building was exposed to the weather, it became necessary to make repairs at once. This was done at a total cost of $1,681.52. As there was no money in the fund to pay this expense, the contractor must be paid by this Assembly.

The State pays, annually, large sums for lighting the capitol and other State buildings. An electric light plant could be established at comparatively small expense. The power could, perhaps, be furnished by the penitentiary, and the cost of maintenance would be immaterial, while the service would be much more satisfactory.

NEW LIBRARY BUILDINGS

The Thirty-fifth General Assembly passed a law authorizing the erection of an addition to the Supreme Court building, appropriating $12,500 therefor, and providing that the penitentiary should aid in the construction by furnishing convict labor and material. The performance of the work was intrusted to a commission consisting of the Attorney-General, the Secretary of State and the State Librarian. Plans were agreed upon and the work begun during the summer of 1890. The structure is of such dimensions and design as would cost from $25,000 to $30,000 if erected by private contract, but the Warden has agreed to undertake the erection of the building, under the supervision of the commission, for the amount of the appropriation. The progress of the work is necessarily slow, because the supply of skilled convict labor is limited. An additional appropriation will be required to equip the library with iron shelving, and to provide steam heating for the building.

WORLD'S FAIR

A World's Fair to commemorate the 400th anniversary of the discovery of America, will be opened in the city of Chicago in 1892. Missouri, prompted by her own interest, as well as by a spirit of patriotism, should take advantage of the occasion to make a creditable display of her unequaled resources and wonderful progress, and in every way conspicuously participate in so great an event. I consider this subject of sufficient importance to merit presentation in a separate message, which I shall forward to you at an early date.

CONCLUSION

The condition of the State government, as shown in the foregoing sketch, should be gratifying to the people of the commonwealth. I hope you will give attentive consideration to the suggestions offered and patient examination to the detailed reports of the different departments. Trusting that our relations may be pleasant, and that we may be able to work together harmoniously for the welfare of the people and the promotion of their interests, I have the honor to be,

DAVID R. FRANCIS,

Governor.

SPECIAL SESSION MESSAGE

FEBRUARY 17, 1892

From the Journal of the Senate, Extra Session, pp. 5-10

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, February 17, 1892.

To the Thirty-sixth General Assembly:

The objects of this special session have been set forth in the proclamation calling you together.

CONGRESSIONAL REDISTRICTING

In my special message to you of February 18, 1891, was enclosed a certified copy of the apportionment bill of the Congress, approved February 7, 1891, giving to Missouri fifteen members in the House of Representatives after March 3, 1893. That message recommended that the Thirty-sixth General Assembly redistrict the State into fifteen congressional and electoral districts. I am informed that the late date at which the official details of the Eleventh census were promulgated prevented you from performing the work during your regular session of 1891. The Secretary of State is now in possession of authentic information giving the population of each county in the State, and has prepared for your use maps that will greatly facilitate the work of redistricting.

LEGISLATIVE REDISTRICTING

At the regular session of 1891 you failed to divide the State into legislative or representative districts under section 3, article IV of the Constitution. That duty is made mandatory on the General Assembly by section 7, article IV of the Constitution.

JUDICIAL CIRCUITS AND SALARIES

I have also thought advisable, in obedience to an almost universal demand, to submit to you the reforming of the judicial circuits of the State, and the adjusting of the salaries of the State judiciary. There are, in addition to the criminal courts, thirty judicial circuits, one of which has five judges, one four judges, one two judges and the remainder one judge each. Litigation in circuits having but one judge is very unequal, as is the labor performed by the judges therein; the terms of all these judges will expire January 1, 1893, and their successors, for a term of six years, will be elected in November of the present year. I forward you herewith an official statement of the number of days circuit courts were in session during the year 1891. You will observe that the time varies from 64 to 236 days. Thirty-eight circuit judges of the State held court during 1891, an average of 154 6-19 days each, and in the twenty-seven circuits of one judge each, court was held an average of 143 16-27 days during 1891. The salaries of the circuit judges are fixed by statute, and in the twenty-seven circuits are but $2,000 each. In my opinion that is not sufficient compensation for judges who hold court more than 200 days per year, whose circuits extend over several counties, and who are required to pay their own traveling expenses. Nor is it equal to the salaries paid by other states to judges of like grade. Alabama, Florida, Indiana, Iowa, Kansas, Nebraska, Mississippi and Texas pay $2,500 per annum; California, Connecticut, Kentucky and Oregon pay $3,000 per annum; Illinois, Minnesota and South Carolina pay $3,500 per annum; Wisconsin, pays $3,600 per annum; Colorado, Ohio and Pennsylvania pay $4,000 per annum; and Massachusetts pays $4,500 per annum. The judiciary of our State is composed of men of ability, experience and character. They occupy positions of responsibility, dignity and importance, and their services should command better returns. The inequalities between the circuits, as at present constituted, should be corrected, the number of circuits diminished if practicable, and the salaries

of the judges increased. The wording of the call permits you to adjust, within the limits of the Constitution, the salaries of all the State judiciary. You are hereby authorized to legislate concerning the criminal courts of the State and the courts of common pleas, and to fix the time of holding courts, in order that your judicial enactments may be systematic and complete, and result in no incongruities.

STATE UNIVERSITY

The main buildings of the State University were destroyed by fire on the night of January 9th last. The institution never was in so flourishing a condition as when overtaken by this calamity. Reassured and strengthened by the endowment of $647,000 received through your wise generosity, managed by a board of earnest and capable Curators and a Faculty of able and experienced professors, it had just entered upon a career of unprecedented prosperity and usefulness. Dr. R. H. Jesse, the recently elected President, had been installed in June, 1891, and the scholastic year had opened in the following September with an attendance of nearly 600. I went to Columbia the day after the fire and found students and preceptors resolute in their devotion and determined to stand by the University in its misfortune. Temporary class-rooms were promptly provided, and there was not a cessation of one day in recitations or lectures. At this time there is an enrollment of 612 students, 25 more than when the fire occurred. The Curators, who live in different sections of the State, and who serve without compensation, cheerfully responded to my summons to meet me at the scene of the conflagration. They have ever been assiduous, at personal sacrifice, in their attention to the affairs of the University. Such fidelity on the part of students, professors and Curators is deserving of recognition and encouragement by the State.

INSURANCE

There was an insurance on the buildings destroyed of $122,820, on the library of $11,000, on the museum of $3,000, on scientific apparatus of $5,340, on electric light plant of $1,335, on elevator and steam heating of $4,005; or a total insurance on the buildings and contents of $147,500. The amounts in the policies of insurance were made payable in case of loss to the Board of Curators for the use of the University, and all will soon be paid in full.

ACKNOWLEDGED OBLIGATION

By the act of admission of the Federal Congress, tendering to Missouri the right of statehood, and by the ordinance of her people accepting the provisions thereof, we are enjoined and in honor bound to establish and foster a seminary of learning. By the act of the General Assembly, approved February 8, 1839, the University was established, and our present Constitution, adopted by a vote of the people in 1875, vested its government in a board of nine Curators, and imposed upon the General Assembly the obligation to "aid and maintain the State University now established with its present departments." There can be no question, therefore, but that it is our duty to provide a habitation for this ward of the State, whether we consider it from the standpoint of an honorable pledge, or an accepted and acknowledged obligation, or the interest of the youth of the commonwealth. The resources, wealth, population and dignity of Missouri impel us to erect such structures as will meet the uses to which they are to be adapted, comport with the advancement and growth of the State and be a source of pride to her people. Liberal and superior educational advantages are not only a great boon to the youth of a State and contribute greatly toward its material development, but are often the standard by which a commonwealth is classed or estimated by the outside world. No act of the Thirty-sixth General Assembly has attracted more widespread attention or received more favorable comment, and

none will endure longer, than that by which you devoted to the promotion of higher education in Missouri the direct tax of $647,000 refunded to the State by the Federal government. It stands as a monument to your sagacity and progressive public spirit.

THE ALUMNI

The alumni of the State University, representative and leading citizens of their respective localities, prominent in the professions, in commerce and in agriculture, have organized throughout the State, and with one voice are asking that their *alma mater* be not ignored or neglected in this the hour of her greatest need. A noble record of more than half a century, attended as it has been by struggles and vicissitudes, the hallowed memories of those true men who devoted years of effort to the interests of the University, cry out against any policy that will sacrifice or jeopardize what has cost so much. Any step backward or halting at this time would shake, if not destroy, that confidence in the stability and future of the institution with which your generosity has inspired the people.

PLANS FOR RE-ERECTION

The Board of Curators, aided by the suggestions of the President and the Faculty, have formulated a plan for the construction of buildings that will meet the requirements of the University in that line for ten years to come. The scheme is elaborate, but not unduly expensive. It contemplates the expenditure of about $400,000, which sum will be sufficient to complete a main building of imposing elevation and ample dimensions, to erect five departmental buildings, and to furnish and equip all with library and scientific apparatus adequate to answer the demands of the immediate future.

MEANS FOR RE-ERECTION

Of the amount desired, the Board will receive about $147,500 from insurance. The State will owe to the University by January 1, 1893, $56,608.84, being twenty-one

months' interest on the certificate of indebtedness for $646,-958.35, bearing five per cent interest, payable fifty years after date, dated April 1, 1891, and issued in favor of the State Seminary fund, in accordance with the bill passed by your honorable body, and approved March 26, 1891. Said sum can with propriety and safety be now appropriated from the Interest fund. Of that interest, one-fifth, or twenty per cent, belongs to the School of Mines at Rolla, the remainder ($45,287.08) can be used for buildings and equipment. I can see no objection to your appropriating the balance of the sum desired, or about $250,000, out of any moneys in the State Revenue fund not otherwise appropriated. An appropriation so conditioned would not involve the State in any obligation beyond her capacity to liquidate. It would not necessitate the floating of any warrants or the incurring of any indebtedness. If the revenue of the State should permit its payment, it would be paid as the progress of the building required. It is possible that the revenue of the State might so increase, and the other appropriations be unused and revert to such an extent, as to permit most or all of this appropriation to be paid. If however, only a small portion of it could be disbursed, the act making the appropriation on the condition named, would be reassuring to the friends of the University, restore confidence and be an evidence of good will. I believe it would insure the scholastic year of 1893-94 beginning with 1,000 students. I find no inhibition in the Constitution against an appropriation of this nature, and know of no reason why it cannot or should not be made. Under the Constitution, all appropriations continue in force until two years after their approval, unless otherwise specified.

STATE FINANCES

That there is not likely to be a large surplus in the revenue of the years 1891 and 1892 beyond your appropriations of the regular session, is no reflection upon your honorable body nor upon the State. It is the well-known policy of the party in power to collect from the people only such

amounts as are necessary to pay the interest on the bonded debt it found contracted, to reduce the same from year to year, and to pay the expenses of an economically administered government. If the revenue of the State had exceeded, or promised to exceed, the appropriations made, you should and doubtless would have reduced the rate of taxation. The money of the people should not be taken from them to be hoarded in the State treasury. The bonded debt of the State was reduced during 1891 to the extent of $1,450,000; it will be reduced during 1892 not only to the extent of the constitutional requirement of $250,000, but in addition thereto the Board of Fund Commissioners, by a call issued this day, have announced that the State will, on March 15, 1892, retire $100,000 of its option bonds, bearing only three and one-half per cent interest, and not due until March 1, 1907, but subject to call at any time after March 1, 1892. The only way other than the one pointed out above, to meet this emergency, is for the State to issue revenue bonds, payable not more than two years after date, as provided in section 44, Article IV of the Constitution. If steps looking toward rehabilitation are not taken at this special session, the student-roll for the scholastic year beginning in September next will be reduced nearly or quite fifty per cent, the professors will seek employment elsewhere, and it will require years to repair the injury done to the University.

JEFFERSON BARRACKS RESERVATION

The Fifty-first Congress made an appropriation of $50,000 for the improvement of Jefferson Barracks, near the city of St. Louis, with the view, it is claimed, of making it a permanent military post for six or eight companies. The War department ruled that the money could not be expended until exclusive jurisdiction over Jefferson Barracks reservation had been ceded to the Federal Government, and forwarded to me during your regular session a bill of that import, with the request that I recommend it to the General Assembly for passage. That bill included cession of ex-

clusive jurisdiction over other possessions of the Federal Government in Missouri, to which I objected, and it did not meet with my approval in other respects. Extended correspondence on this subject was had between the Secretary of War and myself, and was submitted to you in a message from me on March 23, 1891, referred to the Judiciary committee of each House, and the position I had taken was unanimously approved. I refer you to the correspondence as published in the Appendix to the Journals of the regular session of the Thirty-sixth General Assembly. Subsequently the objections urged were conceded by the War Department, and I now recommend that Missouri cede to the Federal Government jurisdiction over Jefferson Barracks reservation, after reserving to the State the right to serve civil and criminal processes therein, and to tax and regulate railroads running through said reservation. In the estimates prepared by the War Department for its requirements and presented to the Appropriation committee of the Fifty-second Congress, the sum of $175,000 has been asked for the further improvement of Jefferson Barracks. The people in the neighborhood of the barracks, especially those of the city of St. Louis, are earnestly desirous that Jefferson Barracks should be made a military post; there are many advantages to be gained thereby, and I cheerfully indorse their wishes. Under the provisions of the bill, jurisdiction will revert to the State when the reservation ceases to be used as a military post. The appropriation made by the Fifty-first Congress, if not used by June 30th of the present year, will revert to the Federal treasury.

APPROPRIATION FOR SPECIAL SESSION

The only additional object for which you have been convened is to make necessary appropriation for paying the expenses of this special session.

CONCLUSION

You have been called together, under authority conferred on the Governor by the Constitution, which says: "On extraordinary occasions he may convene the General

Assembly by proclamation, wherein he shall state specifically each matter concerning which the action of that body is deemed necessary." It is my conviction that the subjects mentioned above are all that require legislation at this time. Extra sessions are only justified by emergencies. They are expensive to the people, and should not be unduly prolonged. I have declined therefore to comply with numerous petitions to submit other matters at this time; most of the subjects asked for were considered by you at your regular session, and all of the others can be deferred until the regular session of 1893 without great detriment to any interests involved.

Trusting your conclusions may be harmoniously and expeditiously reached, I am,

Respectfully,

DAVID R. FRANCIS,
Governor.

SECOND BIENNIAL MESSAGE

JANUARY 6, 1893

From the Appendix to the Journals of the General Assembly, 1893

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, January 6, 1893.

To the Thirty-seventh General Assembly of Missouri:

Gentlemen—I beg to submit to you herewith, as required by the Constitution, at the close of my term of office, information as to the condition of the State, and such recommendations as are deemed expedient.

I congratulate you and the people of the State on the material prosperity of the commonwealth, the observance of law and the respect for authority that have prevailed throughout our jurisdiction, and the marked progress of Missouri during the past four years. The State pride of our citizens is sincere and justifiable, and their patriotism genuine and praiseworthy. The position Missouri occupies among the states of the Union is creditable to her people, and in keeping with their energy, perserverance and public spirit.

Realizing the magnitude of her natural resources, and recognizing their duty toward the development thereof, ever mindful of their obligations to humanity, to society, and to the government that guarantees to them the protection of life and property, they have labored assiduously to promote the moral, intellectual and material advancement of the State, and to establish and preserve her prestige and her power. In every effort made by official representatives to enforce law, foster education, encourage enterprise, equalize burdens, improve the public morale, and elevate citizenship, they have found themselves sustained and strengthened by a healthy and enlightened public sentiment. For this, and for the forbearance shown toward me in the doubts, difficulties and errors of a trying and responsible trust, I feel deeply grateful.

CALLED SESSION OF 1892

The Thirty-sixth General Assembly convened in extra session February 17, 1892, in accordance with proclamation by the Governor. The session continued 36 days. The subjects for legislation enumerated in the call were: the reforming of the congressional and State representative districts; the reforming of the judicial circuits, and the adjusting of the salaries of the judges thereof; the cession of Jefferson Barracks Reservation to the Federal Government; the re-erection of the buildings of the State University destroyed by fire, and the expenses of the extra session.

During the continuance of the extra session I informed the Legislature, by special message, that the State Board of Equalization had determined that the assessed value of the taxable property of the State exceeded $900,000,000, and recommended that the tax levy for revenue purposes be reduced from 20 cents to 15 cents on the $100, in compliance with the requirements of the Constitution. Action to that effect was taken, and the State Revenue levy for the taxes of 1892 was 25 per cent less than it had been since 1876.

STATE FINANCES

BONDED DEBT

The financial record of the present Administration is one of its most salient features. The bonded indebtedness of the State has been reduced $2,845,000 during the last four years, and today is but $6,680,000, of which $1,380,000 bears 6 per cent and $5,300,000 3½ per cent interest. The annual interest on the bonded debt for the year 1888 was $406,520. The annual interest on the present bonded debt is $268,300, a reduction of $138,220 per annum.

All of the 3½ per cent 5-20-year bonds are now subject to call. The last issue of $2,937,000, dated January 1, 1888, became redeemable the first day of the present month. I have been in correspondence with the holders of a large portion of our option bonds with a view of refunding them

at 3 per cent, but successful negotiations have been delayed or prevented by the recent stringency in the money market. Communications on this subject are in possession of the Board of Fund Commissioners, and although 3 per cent is a very low rate of interest, I am of the opinion that by judicious and opportune effort the debt can be refunded at that rate. The constitutional requirement that at least $250,000 of the bonded debt shall be retired annually should not be lost sight of. Of the outstanding 6 per cent bonds none will be due in 1893; $450,000 will mature in 1894; $527,000 in 1895; $392,000 in 1896; and $11,000 in 1897. The maturities of 1894, 1895 and 1896, therefore, will be sufficient to meet the constitutional requirements of those years, and if $500,000 of the 3½-per-cent bonds should not be refunded, the annual reduction of $250,000 could be made, including 1897, without the State paying a premium for its obligations. In that way $4,800,000 of the 3½-per-cent bonds of the State might be refunded at 3 per cent on a 5-20-year basis, and would result in an annual saving to the State of $24,000.

SCHOOL CERTIFICATES

The history of the school certificates of the State, if not familiar to you, can be found in the biennial report of the Auditor, which will soon be forwarded to you. They amount at the present time to $4,331,958.23, of which $3,140,000 belongs to the School fund and $1,191,958.23 to the Seminary fund. Of these certificates, $3,031,000 bear 6 per cent interest and the remainder 5 per cent, the annual interest being $246,907.91. The total annual interest of the State, therefore, on bonded debt and school certificates is $515,207.91. The interest levy in the State, or the direct taxation for payment of interest and retirement of the bonded debt, was 20 cents on the $100 from 1876 to 1888, inclusive. In April, 1889, it was reduced 50 per cent, or to 10 cents on the $100. The amount realized from that levy during the past four calendar years is as follows:

1889—Interest fund received	$1,399,078 88
1890—Interest fund received from 10-cent levy	913,222.76
1891—Interest fund received from 10-cent levy	892,732 63
1892—Interest fund received from 10-cent levy	921,299.31

Much the greater portion of the State taxes of each year is paid into the State treasury during the first three or four months of the following year. It will be observed from this table, however, that the 10 cent interest levy is sufficient to pay all the interest obligations of the State and to reduce the bonded debt by more than $250,000 per annum.

SEMINARY CERTIFICATES OF INDEBTEDNESS

The Thirty-sixth General Assembly, by an act approved March 26, 1891, devoted to the endowment of the State University the direct tax refunded to the State by the Federal Government. It amounted to $646,958.23. As provided by law, that sum, after being given to the University, was paid into the State treasury, placed to the credit of sinking fund, and a certificate of indebtedness for an equal amount, bearing 5 per cent interest, payable semi-annually, was issued therefor. That certificate was dated April 1, 1891, and is in the custody of the State Treasurer. No interest on said certificate has been paid or appropriated. It will be the duty of the Thirty-seventh General Assembly to make provision for the interest on this certificate from April 1, 1891, to January 1, 1893, as well as for the interest from January 1, 1893, to January 1, 1895.

APPROPRIATIONS

The Thirty-sixth General Assembly, at its regular session, appropriated for the years 1891 and 1892 the sum of $3,159,771.42 out of the Revenue fund. That sum includes the special or extraordinary appropriations, as well as the usual appropriations required for defraying the expenses of the government during that period. The ap-

propriations for the pay of the civil list and for the contingent expenses of the different State departments expire with the biennial period. All other appropriations expire two years from the date of their approval, and in both instances unexpended balances therein revert to the Revenue fund.

In addition to appropriations made by the Thirty-sixth General Assembly at its regular session, in 1891, it appropriated $70,000 at the extra session of 1892 for defraying contingent expenses and the pay of members, making a total appropriation of $3,229,771.42 for the two years. The Auditor estimates that of that sum $200,000 or more will be unexpended and revert to the revenue fund.

INCOME AND REQUIREMENTS

The income and requirements of the State for the years 1893 and 1894 are estimated as follows:

INTEREST REQUIREMENTS.		
Interest on bonded debt and school certificates		$1,075,799.66
Sinking fund		1,000,000.00
		$2,075,799.66
ESTIMATED INTEREST RECEIPTS.		
From direct tax levy, 1893	$911,791.00	
From direct tax levy, 1894	950,000.00	
		$1,861,791.00

It will be observed that the estimated interest requirements exceed the estimated interest receipts by about $214,000. If the appropriation of $1,000,000 for sinking fund, however, can not be met by the interest levy, no harm will ensue, and the Board of Fund Commissioners will only transfer to the Sinking fund the amount remaining in the Interest Fund after the State interest shall have been paid. The Sinking fund is used exclusively for the redemption of the bonds of the State. It is advisable to make an appropriation of $1,000,000 for the Sinking fund

in order to provide for a decided increase in valuation of taxable property, and furthermore, the statutes provide that when the School or Seminary funds receive money to the amount of $5,000 from any source, it shall be paid into the Sinking fund of the State and used for the retirement of the bonded debt, and a State certificate of indebtedness issued in lieu thereof for the benefit of the School or Seminary Fund.

REQUIREMENTS FROM REVENUE FUND

The Auditor estimates that the requirements from the Revenue fund and the receipts therein for the years 1893 and 1894 will be as follows:

ESTIMATED REQUIREMENTS.	
Civil list	$445,650 00
Educational institutions	150,000 00
Eleemosynary institutions	392,860 00
Penal institutions	51,000 00
Assessing and collecting the revenue	290,000 00
Costs in criminal cases	600,000 00
Public schools (based on one-third of the revenue)	1,275,000 00
General Assembly, pay of members, etc	120,000 00
Sundry other appropriations	816,200 00
Total	$4,140,710 00
ESTIMATED RECEIPTS.	
From current tax levy	$2,263,000 00
From merchants' and manufacturers' tax	195,000 00
From dramshop licenses	350,000 00
From foreign insurance companies	180,000 00
From incorporation tax	190,000.00
From miscellaneous receipts	72,000 00
Total	$3,750,000 00

According to these figures there will be a shortage of about $400,000 for the two years. I suggest elsewhere in this Message means for providing the additional revenue required.

The balance in the State Treasury at the close of business December 31, 1892, was $562,277.48, belonging to the funds enumerated in the following table:

BALANCE IN THE TREASURY

State Revenue fund	$87,620 95
State Sinking fund	52,172 17
State School fund	1,538 77
State Seminary fund	95 08
State School moneys	186,274 16
State Seminary moneys	17,770 00
Insurance Department fund	18,634 42
Executors' and Administrators' fund	31,829 14
Earnings Missouri penitentiary	11,947 11
Road and Canal fund	680 90
Militia fund	11,482 64
Colored Institute fund	1,738 80
University Building fund	150,493 34
Total	$562,277 48

REDUCTION OF TAXATION

There have been two reductions of taxation under the present administration. The State interest levy was reduced from 20 cents to 10 cents on the $100 in 1889; the State revenue levy was reduced from 20 to 15 cents on $100 in 1891. The entire State levy for interest and revenue is at present but 25 cents on the $100, or 37½ per cent less than it was in 1888. This reduction will, of course, result in diminished revenue, and it becomes the duty of your honorable body to readjust the expenditures of the State Government in such a manner that they will not exceed the income. One of three courses may be adopted; the appropriations may be cut down; the assessed valuation of the taxable property increased, or new sources of revenue adopted. A careful comparison of the cost of our State Government with that of other states demonstrates that it has been conducted on an economical plan, and any radical retrenchment is likely to result in diminishing the benefits

of the Government to its citizens, if not impairing its efficiency. The assessed value of taxable property has increased steadily during the past four years, as will be seen by the following table:

Assessment made June 1, 1887, for taxes of 1888.. .	$789,692,245
Assessment made June 1, 1888, for taxes of 1889.	807,551,460
Assessment made June 1, 1889, for taxes of 1890 .	862,772,099
Assessment made June 1, 1890, for taxes of 1891.. .	877,722,778
Assessment made June 1, 1891, for taxes of 1892..	911,791,179

The taxable property of Missouri, however, is not assessed on the average at over 40 per cent of its true value. The assessment for the taxes of 1892, which was made on valuations of June 1, 1891 ($911,791,179.00), was made in the main by the local assessors of the different counties—the State Board of Equalization having acted on the principle that its duty was to equalize assessments. An increase of 10 per cent in assessed valuations, together with the natural growth in taxable property, will certainly yield sufficient revenue to defray the expenses of the State government. It is within the power of the State Board of Equalization to effect such an increase, and if your appropriations are no less than those of your predecessors, and no new sources of revenue are established, the Board must adopt that policy. Such a course would seem equitable and just, but so much personal property escapes taxation that an increase in taxable values would augment the burden already resting on real property. I am inclined to the opinion, therefore, that the General Assembly should find some new or additional sources of revenue, in order that the farms and town lots should not bear an undue proportion of the cost of government. The least objectionable tax that can be imposed, and one that can be met with the least hardship, is a tax on luxuries. The minimum State license on dramshops, which at present is $25 for six months, if increased to $50 will yield an additional revenue of $267,900 per annum on the 5358 dramshops in the State, if they

should all continue. The county authorities have the right under the present law to impose a State dramshop license of $200 for six months, but only one county in the State, Adair, collects the maximum amount, and but five counties collect more than the minimum.

EDUCATION

PUBLIC SCHOOLS

It has ever been the policy of the State to provide educational facilities for its children free of charge, and to build up a permanent school fund that would insure the continuance of those facilities. Our Constitution requires that at least 25 per cent of the general revenue of the State shall be set aside for the benefit of the public schools. The Thirty-fourth General Assembly of 1887 increased the apportionment to one-third of the general revenue, and the Thirty-fifth and Thirty-sixth General Assemblies did likewise. In 1888, one-third of the revenue amounted to $772,125.57, and in 1892 it aggregated $900,306.14. Below are presented some comparative figures to show the condition of the schools in the State in 1888 and in 1892.

COMPARISON OF STATISTICS FOR 1888 AND 1892

		1888.	1892.
1.	Enumeration	852,430	919,017
2.	Enrollment	610,550	640,799
3.	Average length of term in days	126	128
4.	Average number of days attendance per pupil	75	83
	PERMANENT FUNDS.		
5.	State funds	$3,136,206.74	$3,140,853.00
6.	Seminary funds	535,000 00	1,191,958.23
7.	County funds	3,548,700.13	3,875,336.03
8.	Township funds	3,460,234.59	3,471,153 54
9.	Special district funds	47,103 15	93,789.86
10.	Totals	$10,727,244.61	$11,773,090.66

		1888.	1892.
11.	Annual apportionment of State moneys	$772,125.57	$900,306 14
12.	Valuation of school property	9,803,786.00	13,774,860.00
	RECEIPTS.		
13.	Cash on hand	$1,110,419 81	$1,630,235.80
14.	Interest from State fund	759,941.95	876,719.17
15.	Interest from county fund	314,017 54	320,537.63
16.	Interest from township and special district fund	332,753.77	373,921 37
17.	Railroad tax	195,971 58	258,913 93
18.	Tuition fees	44,491 57	24,834 74
19.	District tax	3,138,609 62	4,262,889 29
20.	Totals	$5,896,205.84	$7,748,051.93
	EXPENDITURES.		
21.	For teachers' wages	$3,185,236.62	$3,929,356 09
22.	For sites and buildings	823,898.85	1,222,067 34
23.	For incidentals	733,247 38	940,411 63
24.	Totals	$4,742,382 85	$6,091,835 06
25.	Number of districts observing Arbor Day	490	831
26.	Number of trees planted	9,736	13,730

STATE UNIVERSITY

The care and upbuilding of this institution has been one of the marked characteristics of the administration now drawing to a close. I have felt it my duty as the chief executive of the State to aid in carrying out, in good faith, the pledges made to establish and maintain a university of learning when Missouri was admitted to statehood. The constitution of our State also imposes upon us the obligation to "aid and maintain the State University now established, with its present departments." Furthermore, it is evident to every observing, right-thinking citizen that it is not only to the interest of the State that the best and most improved methods of education should be furnished

in Missouri, but is necessary if we would not lag behind in this age of intellectual advancement, moral culture and industrial progress. I have already written and spoken much on this subject, but would willingly dwell upon it at greater length if by doing so I could imbue you with that sense of its merit and importance which I feel as an official and as a citizen. Other states seem to appreciate more highly from year to year the value of scientific and thorough education, and with some their universities are the most distinguishing features.

Michigan has at Ann Arbor a great institution, attended by 2,800 students, with an annual income of $325,000. Its buildings cost $924,400 and its equipment $241,000. A special annual State tax of 1-20 of a mill on the dollar is levied for its maintenance. In addition thereto $187,650 was appropriated by the last legislature for the years 1891 and 1892.

Wisconsin has at Madison a State University with buildings which cost $790,000 and equipment costing $160,000. Its annual income is mainly derived from a State tax of 1-8 and 1-10 of a mill on the taxable property of the State, and one per cent of the license receipts from railway, telegraph, telephone and insurance companies.

Ohio levies a tax of 1-20 of a mill on all the assessed property of that State for the benefit of its University, located at Columbus.

Nebraska collects a tax of 3-8 of a mill on each dollar of the taxable property of the State for maintenance of its University located at Lincoln.

Harvard University at Cambridge, Mass., has an endowment of $7,000,000 and an annual income of $1,047,382.

Columbia University, New York, has an endowment of $9,000,000 and an income of over $640,000.

Johns Hopkins University, Baltimore, is endowed for $3,000,000 and has an income of $195,000.

Tulane University, New Orleans, has an income of $175,000.

We ought to be able to furnish in Missouri as good educational advantages as can be obtained elsewhere, and if the Thirty-seventh General Assembly can not provide therefor, some of their immediate successors will do so, and will long be remembered in consequence thereof. The students and alumni of the State University live in almost every county in the State, and their influence is increasing from day to day; the sentiment of the people is constantly becoming more favorable to higher education, and will approve and support its champions.

THE FIRE OF 1892

On the night of January 9, 1892, the main buildings of the State University were destroyed by fire. The institution at that time was in a very flourishing condition, having an enrollment of 587 students. Temporary provision was made for their accommodation the day after the fire, and by strenuous efforts put forth by the Faculty and Board of Curators, the attendance was held to the end of the scholastic year in June last.

The Curators had insured the buildings and contents for $147,500. The risks had been taken by solvent companies, and all of the insurance money, with the exception of a few hundred dollars salvage, has been paid and turned into the State treasury, where it is kept in a separate account and designated "University Building Fund." The called session of the Legislature in 1892 authorized the use of the money collected from the insurance companies, together with $40,000 transferred from the State Insurance fund, for the re-erection of the buildings, provided the city of Columbia would contribute $50,000 to the same object, and pay that amount into the State treasury. The citizens of Columbia, by private subscription, procured the amount required and paid it into the State treasury. In this manner the sum of $236,577 was obtained for the re-erection of the buildings of the State University. From the report of the Board of Curators, which will be made to your honorable body, you will observe the objects for which that sum

has been expended, or contracted. The Curators, nine in number, not more than one of whom can be appointed from a congressional district, are representative citizens of the State, who have devoted much time and attention to their trusts, and at personal sacrifice have formulated a plan for a great university, and carried it out to the extent the means at their command would permit. They have arranged for the erection of one main building, five departmental buildings and a power house, and the construction of a tunnel connecting all of the buildings with the power house, for the conveyance of steam pipes, electric light wires, etc.

The law building and the manual training building are about completed, and will be ready for occupancy as soon as equipped. The power house is completed. The chemical laboratory and the physics and engineering buildings are well under way. The museum is under contract, and all of the departmental buildings will be pushed to completion as soon as the weather will permit. The agricultural and the medical buildings were not destroyed by the fire. The manual training building has been equipped to a great extent, if not entirely, out of the "Morrell" fund, received from the United States government. The Thirty-sixth General Assembly appropriated $88,983 for the support of the State University during the years 1891 and 1892. The Curators ask for only $44,796.27, in addition to the interest on their endowment, for support for the next two years. In a conference with the Board, held at Columbia last month, I reminded them of the diminished revenue of the State and advised that their requests should be confined to the lowest limit consistent with the proper maintenance of the institution. The buildings erected and contracted for are intended for instruction in what is known as the practical branches of education, and are well adapted for that purpose. The manual training school is a new feature of the University, but a very important one, and is calculated to largely increase the practical value of the University course, as well as the attendance of the students. If the above mentioned buildings were all that are required,

the Legislature would find no difficulty in providing for the wants of the institution. It is necessary, however, to have a main building, in which class-rooms for the teaching of the English branches, the languages and the liberal arts, as well as a chapel, library, offices for the President and Proctor, and reception rooms, can be furnished. The erection of such a structure will entail the expenditure of a large sum of money. Plans for a main building have been matured by the Curators and will be submitted for your inspection. I recommend that provision be made for the erection of such a building as will be adapted to the objects in view, and as will comport with the importance of the institution and the dignity of the State.

SCHOOL OF MINES

The School of Mines, located at Rolla, is also a department of the State University, where are taught such branches as are related to the mechanic arts and mining, without excluding other scientific and classical studies. One-fifth of the interest on the endowment of the State University, made by the Thirty-sixth General Assembly, must be set aside for the benefit of the Rolla School of Mines; in addition to which the school has an interest on Land fund, and a portion of the "Morrell" fund, paid by the United States government. These sources of revenue, with the estimated matriculation fees of the next two years, will produce an income which will nearly or quite maintain the school. The Legislature, in 1891, appropriated $20,000 for the support of the School of Mines and Metallurgy and the repairs of its buildings. The local executive committee at Rolla asks for a special appropriation of $25,000 for the erection and equipment of a new building. If the revenue of the State will justify, the request should be granted.

NORMAL SCHOOLS

Missouri is divided into three Normal School districts, and the State maintains in each district a Normal school for the purpose of training teachers for its public schools.

In addition, there is a Normal School maintained at Jefferson City for the training of colored teachers. It is called Lincoln Institute.

The Normal school of the First district is located at Kirksville, of the Second district at Warrensburg, and of the Third district at Cape Girardeau. Each of these schools makes an annual report in the month of August to the State Superintendent of Public Schools.

The following table, compiled from replies to inquiries made by myself, will give you some information as to the condition of these institutions and their cost to the State:

Appropriation for support during 1891 and 1892.	Average attendance.	Total expenditures.	Number counties represented in school.
$25,000 . . .	Normal No. 1, 527	$38,225 34	48
$27,500	Normal No. 2, 1,002	52,239 97	66
$22,000	Normal No. 3, 436	28,846.94	31

Each of these schools, in addition to its maintenance, is asking for special appropriations for library, scientific apparatus, improvement of grounds, etc. The District No. 3 school was given $3,000 additional by the Thirty-sixth General Assembly for repairs of its buildings. Lincoln Institute was given $18,000 for support by the Thirty-sixth General Assembly, $4,800 for repairs and improvements and $25,000 for the erection of an industrial school. A condition of the payment of the "Morrell" fund was that a due portion thereof should be given to the education of the colored children in the State in the mechanic arts. The history of the "Morrell" fund will be found in special messages sent by the Governor to the last General Assembly. The enrollment at Lincoln Institute during the last scholastic year was 213 students. Its total expenditures for the last two years were $19,067.14, only $356 having been obtained

from sources other than the State. The expenditures of all the normal schools in excess of their appropriations were derived from tuition fees.

AGRICULTURAL COLLEGE

This is a distinct department of the State University, and is located at Columbia, Mo., where it has 640 acres of land—purchased out of $90,000 contributed by the citizens of Boone county. The enrollment has increased materially during the past three years. The students are taught practical farming, and many of them are given opportunity to earn their personal expenses by working on the college farm. Effort has been made in the past to separate the Agricultural College from the University, or to locate it at a different place. Such a move would entail considerable additional expense for maintenance of two separate institutions. If the State were able and willing to support two high grade educational institutions, with a strong corps of professors and well-appointed scientific equipment for each, I should favor the move, but it is better, in my opinion, to build up one first-class university than two or more indifferent ones. The students of the Agricultural College, so long as it is located near the University buildings, will have the same advantages of instruction and of scientific apparatus as the students in the scientific and other departments. The argument often presented that students of law, medicine and the liberal and mechanic arts are disposed to look contemptuously upon those who are preparing themselves for the pursuit of agriculture, and that the latter are consequently often driven to abandon agricultural studies, seems to me to be an admission that agriculture is a vocation which, in importance and standing, is inferior to others. I should unhesitatingly take issue with such a position. There is as much occasion for scientific knowledge in agricultural pursuits as in any other. A knowledge of the chemical properties of soil and food, and of the life constitution and habits of animals, unquestionably better fits a man to be a farmer; and the want of higher education,

which seems to be more general among that class than among others, is, next to the injustice of our tariff laws, the main cause of the difficulties of the agriculturists. I do not mean to state that there are not farmers who are as well educated and as highly cultured as men in any other pursuit, but to affirm that there is as much necessity for a farmer to be educated as for a merchant or professional man. It is the desire and the effort of the Curators and the Faculty to dignify the Agricultural department, and to dissipate the impression, if it exists, that it is an inferior branch of the University. The field of science is so broad, and the branches of learning so extensive, that it has almost become a necessity to give the youth of the land specific training, to be determined by the vocations they propose to follow. In my opinion, therefore, it would be unwise, for the present at least, to divorce the Agricultural College from the University.

ELEEMOSYNARY INSTITUTIONS

Missouri has always provided liberally for the care of her indigent infirm. They are the wards of the State, and should be maintained out of the general revenue.

LUNATIC ASYLUMS

The State has three lunatic asylums—No. 1, located at Fulton, No. 2 at St. Joseph, and No. 3 at Nevada. The inmates of these institutions, other than the private patients, are committed by the courts of the different counties, and each county pays to the treasurer of the institution $2.50 per week for the maintenance of each patient committed, and $10 per annum for clothing. The cost of subsisting and clothing private patients is paid by their guardians.

The following table will show appropriations made by the State for lunatic asylums during the past two years, and the average number of patients:

	Appropriations for 1891 and 1892.				
	Support.	Officers' salaries.	Repairs and improvements.	No. of patients	Total.
Asylum No. 1 .	$40,000	$19,000	$48,500	548	$107,500
Asylum No. 2	38,000	18,000	50,000	580	106,000
Asylum No. 3. .	40,000	16,600	14,300	348	70,900
St. Louis Asylum.	85,000	. .	.	1,065	85,000
Grand total	. . . .	. . .	. . .		$369,400

The following table will show the *per diem* cost of maintenance for each inmate, and the amount of the appropriations drawn, and the amount which will revert to the treasury unused:

Maintenance per diem.	Support appropriation used.	Support appropriation unused and reverting.
Asylum No. 1, 53 1-12 cents . .	$36,155	$3,845
Asylum No. 2, 45 cents.	6,000	32,000
Asylum No. 3, 59 cents..	40,000	000
St. Louis Asylum, 38 cents.	85,000	000

Each one of the State institutions has a treasurer, who keeps its accounts with the different counties and its other debtors. It has been suggested, and with good reason, that if the counties were compelled to pay the cost for the maintenance of their patients into the State treasury, the salaries of the Asylum treasurers would be saved thereby, and the cost of maintaining each institution reduced at least to that extent. The three asylums are asking appropriations for repairs and improvements.

The officers of Asylum No. 2 think that a clerical error was made by the last Legislature in appropriationg but $18,000 for officers' salaries instead of $19,000, as requested and as agreed to by the Appropriation committee. They ask that the correction be made by the present Assembly, and present good reasons why it should be granted in the exceptionally good record they have made in reducing the cost of maintenance, and in leaving unused such a large portion of their support appropriation.

SCHOOL FOR THE BLIND

This institution is located in the City of St. Louis and maintained solely by the State. It is a most commendable charity and has been admirably managed. The report of the last two years will be forwarded direct to you by the Board of Managers, who have devoted no little time and attention to their trust. The attendance shows an increase of 25 per cent., and now numbers 114. The Board is of the opinion that the present site should be sold, a new location selected and appropriate buildings erected. An effort was made to dispose of this property several years ago, but it was opposed by the Board of Managers and by myself, because we did not think the time opportune. More than twice as much can be realized for the grounds now, than the estimate placed upon them when the above mentioned effort was made. The Board estimates the property at $100,000 to $120,000, and thinks that with the proceeds of same, new grounds could be purchased and commodious buildings constructed without material additional expense to the State. The suggestion that the change of site be left to a commission composed of the Governor, Attorney-General, State Treasurer and Board of Managers meets with my approval.

THE SCHOOL FOR THE DEAF AND DUMB

Is located at Fulton, and maintained almost absolutely by the State. The object of the school is to educate the deaf and dumb in the use of written and sign languages and

in mechanical trades and industrial pursuits. Indigent persons between the ages of 8 and 21 may be committed to the school by the probate judge, on satisfactory evidence that such persons are capable of receiving instruction and unable to pay the expenses thereof.

The last General Assembly appropriated $118,701.70 for the support, salaries and improvements of this institution during the years 1891 and 1892. About the same amount is asked for the two years ensuing. The attendance at present is 285. This is the most expensive charity maintained by the State, but it is deserving, and is controlled by a board of competent, painstaking citizens.

I see no reason why the counties sending indigent pupils to this school should not pay the cost of their maintenance, as in the case of indigent insane. Your predecessors have not so construed the statute governing the institution, nor has the Board of Managers.

REFORM SCHOOL FOR BOYS

Is located at Boonville, and has been in operation for abour four years. The report of the Board will show that the school is well managed, and from the best information I can gather it is doing good work in reforming the wayward boys committed to it. They are trained in habits of industry and taught trades whereby they may earn a livelihood. I have firmly and consistently refused to pardon boys committed to the school, thinking it more beneficial to them to gain their release by good conduct. I refer you to the report of the Board of Managers for information as to the work of the institution and its requirements.

THE INDUSTRIAL HOME FOR GIRLS

Is located at Chillicothe. The last General Assembly appropriated but $7,500 for salaries, support and repairs. The number of inmates at that time was only nine. It is now thirty-three. The increase is attributable to a change in the law regulating commitments as made by act approved

March 26, 1891. The President of the Board states that the average *per diem* cost of maintenance during 1891 was 64 cents, but was only 46 cents during 1892.

PENITENTIARY

The record made by this institution under its present management has never been equaled. The Thirty-sixth General Assembly appropriated, in addition to the earnings, the sum of $175,000 for maintenance during the years 1891 and 1892. Of that fund, not á dollar has been drawn since February 1, 1892—the penitentiary having been self-sustaining for the past eleven months. Of the maintenance fund, $66,724.04 had been drawn previous to February 1st. The remainder, $108,275.96, will revert to the General Revenue fund.

A disastrous fire occurred at the penitentiary on May 23, 1891, destroying shop No. 2. A new fire-proof building was erected, at a cost of $36,995.78 in money, not including the convict labor employed in building. If this calamity had not occurred, the penitentiary would, in all likelihood, have been self-sustaining during the entire biennial period of 1891 and 1892.

MAINTENANCE AND EARNINGS

The following table, compiled at my request, will show the earnings and cost of maintenance during the past four years, as compared with the previous four:

	1885-86-87-88.	1889-90-91-92.
Subsistence	$288,634 54	$237,330 70
Per capita per day	12 00	09 42
Cost of clothing in use and consumed	74,177 20	54,831.90
Per capita per day	03.10	02.18
Fuel and lights	99,539.30	116,162.02
Per capita per day	04 13	04 63
Salaries officers and employes	283,618 47	301,057.18
Per capita per day	11.78	11.99

	1885-86-87-88	1889-90-91-92.
Total daily average cost of each inmate	35.23	32.90
Earnings from contract labor	561,724.78	715,458.82
Daily average earnings each inmate	23.31	28.52
Total cost of maintenance	847,736.60	827,684.71
Average number convicts employed by contract	891	1,118
Revenue per day from employment of convicts	451.55	575.59

It will be observed that the maintenance exceeded the earnings by about $286,000 during the four years ending December 31, 1888, and by about $112,000 during the last four years. The total amounts drawn from the treasury for the penitentiary during the past eight years are as follows:

Period from January 1, 1885, to December 31, 1888	$378,258.46
Period from January 1, 1889, to December 31, 1892	196,932.63
Total	$575,191.09

The institution has to that extent been a burden on the taxpayers for the past eight years. The excess of money drawn, over the difference between the earnings and the maintenance, which amounts to about $177,000, was used for the extension of walls and erection of buildings, etc.

CONDITION

The penitentiary has been kept in good repair, and its cleanliness has been a subject of remark by all visiting it. The discipline has been good and the treatment of prisoners humane. They have been well provided with food and clothing.

Your attention is called to the report of the prison Physician, which will be forwarded to you by the Board of Inspectors. He recommends various improvements for the

betterment of the sanitary condition of the institution. I earnestly indorse his request that provision be made for the erection of a new laundry and bath-houses for the convicts.

It has been my effort during the past four years to transfer the incurably insane convicts from the penitentiary to the lunatic asylums. This institution is penal and not eleemosynary. It is alike unjust and detrimental to insane and sane to be confined together. I do not favor the erection of a separate building for insane convicts, as has been advocated. It would be an unnecessary outlay, and would soon be filled with inmates to be maintained at State expense. A convict, insane when he committed the crime, or who becomes so subsequent thereto, should be sent to a lunatic asylum, and if indigent, maintained there at the expense of the county where the crime was committed, instead of being confined in the penitentiary and maintained at the expense of the State. Our statutes make provision for such disposition of insane convicts. Under the present administration 30 insane convicts have been pardoned and delivered to relatives or to the authorities of the counties whence they came, or committed to the lunatic asylums of the State, there to be maintained at the expense of the counties where they were convicted.

CONVICT LABOR

At present 1133 convicts are employed by the prison contractors, at an average compensation to the State of 50 cents per day; 327 convicts are employed by the State in doing the work of the institution; 47 are in the hospital; 13 are in solitary confinement; the remainder, about 123, are idle.

The contracts between the State and the prison contractors are as follows:

Date of contract.	Went into effect.	Contracting firm.	Kind of business.	Duration of contract.	Number men contracted for.	Actual number men employed.	Paid per man per day.	Number square feet floor space.	Amount paid per month for power
Dec. 17, 1888...	Dec. 18, 1888.	J. S. Sullivan Sad. Tree Co....	Saddle trees	6 years.	150	170	50 cents	40,430	$125 00
Dec. 17, 1888...	Dec. 18, 1888..	J. Strause Saddlery Co... .	Harness and saddlery	5 years.	125	160	50 cents	*34,301	67.50
Dec. 17, 1888...	Dec. 18, 1888.	Giesecke B. & S. Mfg. Co.....	Boots and shoes...	5 years.	300	331	50 cents	38,760	100.00
Oct. 7, 1889. .	Nov. 1, 1890..	Jefferson Shoe Co..... .	Boots and shoes.. ..	5 years	130	152	50 cents	22,184	50.00
Dec. 17, 1888...	Dec. 18, 1888.	Standard Shoe Co..... . .	Shoes..... .	5 years.	85	98	50 cents	10,260	35.00
Dec. 17, 1888.	Dec. 18, 1888.	A. Priesmeyer	Shoes	6 years.	200	208	50 cents	29,640	100.00
Dec. 31, 1887. .	Jan. 1, 1888 ..	Charles R. Lewis.....	Clothing..	6 years.	40	39	20 1st class, 50c 20 2d class, 35c.	7,866	12.50
						1,153			

*Shed building, 1,581.

The above amounts received for power furnished do not reimburse the State for the cost of the fuel, to say nothing of the labor of keeping up the fires and the wear and tear on the furnaces and boilers. Whenever, through any mishap, the machinery is stopped for an hour or more, the State is required to deduct for loss of time in consequence thereof.

It will be observed that all of these contracts but one were entered into before the present Administration began, and that they continue for a period of five years, most of them expiring December, 1893.

Those contracts, when entered into, may have been the best the State could make, but in my judgment it is now feasible to make the penitentiary absolutely self sustaining, and at the same time minimize the competition of convict labor with free labor, while encouraging the prisoners to perform their tasks cheerfully and thoroughly.

I do not hesitate to give it as my opinion that the compensation paid to the State for the labor of these convicts is inadequate for the service performed and accommodations furnished. I furthermore believe that such employment of convicts at such low rates is unjust to free labor and unfair to the tax-payers. In my biennial message to the Thirty-sixth General Assembly it was suggested that the State convicts should be employed, if practicable, in the construction of county roads. Such a policy would be least injurious to free labor and of great benefit to the counties, but it would be attended by great expense to the State or to the counties, and be fraught with more or less danger to those sections in which the convicts might be employed. The diminished revenue of the State will not admit of the maintenance of its convicts at State expense while so engaged, and the constitutional limitations on county taxation will prevent the counties from paying for the maintenance of convicts while employed on county roads. The convicts consequently cannot be employed on the public roads without great cost to the State, or an alteration in the constitution permitting an increase of county taxation. Furthermore,

the State has gone to great expense in erecting shops, to the end that convict labor might be beneficially employed within the prison walls. It is our duty to prevent to the greatest degree possible that labor from competing with or reducing the compensation of free labor.

I fully appreciate the difficulties of the contractor employing convict labor, but in my opinion they are more than offset by the greatly reduced price paid for that labor. It is true that the criminal classes are unwilling toilers, and that 50 cents per day for men who are altogether unskilled may for a brief period be ample compensation, and it is admitted that there is greater or less loss of raw material incurred by the employment of inexperienced and vicious men. At the same time the manufacturer who employs convict labor need have no fear of strikes nor make any provision therefor, and the improved inventions in machinery permit an economical division of labor, and enable even a convict to soon become expert in the task assigned him. The contractors have no factory or office rent to pay, no insurance on buildings and no interest on the money invested therein. I have given the present contract system in our penitentiary close attention during the past four years. The contractors are courteous and upright, and prompt in the payment of their obligations to the State, but I should be derelict to my sense of duty if I failed to advise the Legislature to prohibit the renewal of the existing contracts on the same terms.

I would advise a statutory minimum of at least 60 cents per day for the labor of convicts, and the letting of that labor to the highest and best bidders, after due advertisement, reserving the right to the State to reject any and all bids. The contractors should also pay the cost of the power furnished, and sufficient in addition to keep engines and boilers in good working condition. If the number of men employed in any one industry were limited to 100 or 125 their labor would not materially affect the prices of that product, or the wages of free labor engaged in the manufacture thereof. It is frequently an unavoidable but de-

plorable sequence of punishment, that those connected with and dependent upon the prisoner suffer as much or more than he does. The condition of such might be alleviated and the prisoner encouraged to work cheerfully, if a portion of his earnings were given to those dependent upon him, or reserved for him, with which to begin life at the expiration of his term. Under the present custom of allotted tasks it is possible for a few industrious convicts to earn a small stipend, but very few of them seem able or willing to do so. That custom might be continued, and in addition, ten cents per day of the fixed wages of convicts given to them.

CONVICT LABOR IN OTHER STATES

An examination of the convict labor laws of other states shows that in Ohio the statutes forbid the letting of able-bodied convicts for less than 70 cents per day, and that all letting is by advertisement to the best bidders.

The report of the warden of the Ohio penitentiary for the day, December 27, 1892, forwarded me at my request, shows that that institution had at work on that day 60 "able-bodied" convicts at 86 cents per day, 211 at 75 cents per day, and 220 at 70 cents per day; also 40 "infirm" convicts at 61 cents per day, 104 "infirm" at 55 cents, and 295 "infirm" at 50 cents per day.

In Indiana 375 convicts are leased at 60 cents per day, 180 at 58 cents per day and 225 at 55 cents per day—the contractors furnishing their own power and everything except shops and guards. The statutes of Indiana require that convicts be let to the highest bidders, but no contractor is permitted to employ exceeding 100.

In Minnesota about one-half of the convicts are let to a threshing company at 55 cents per day, and the company pays in addition $1,225 per month for shop rent, heat and power furnished by the State.

In Michigan the warden is authorized to let convicts for work outside of the prison walls, provided they are returned each night to their cells; but no convict can be so

let at less than $1.00 per day and the extra cost for guarding. All lettings are by advertisement to the highest bidder.

In Kentucky the commissioners are authorized, after due advertisement, to let to the highest and best bidder or bidders all the convict labor to the number of 600, to be worked within the walls of the penitentiary. The contractor shall obligate himself to furnish food, clothing and medicine necessary for the health and comfort of the convicts hired; to furnish the necessary medicines to female convicts and all disabled and diseased male convicts as must of necessity remain in the prison, both such as are in the prison and such as may be sent there during the continuance of the contract; and to defray all running expenses of the institution except the pay of guards and officers. The contract shall specify the price to be paid by the contractor in gross per annum, and shall be accompanied by a bond with sureties worth in the aggregate an amount double that of the proposed contract price. The contractor must conform to regulations prescribed by the commissioners for the diet, clothing, safe-keeping, sanitary and police matters of convicts. When his lease expires, he must turn over all of the State's property in as good condition as when received. Until the passage of the new constitution in 1891, Kentucky had a statute requiring the lessee of the penitentiary to pay the State $8000 per annum for the labor of its convicts, in addition to feeding, clothing and guarding them, under the supervision of two physicians appointed by the Governor. The lessee was elected by the Legislature for a term of four years.

In West Virginia, convict labor is let to the highest and best bidders, the State reserving the right to reject any and all bids, and the contractors are required to pay rent on buildings used and furnish their own machinery and tools. The board of public works in that State is also authorized to furnish to any railroad or internal improvement company, or any county, for work on public roads, free of hire, any able-bodied male convicts which may not have been contracted for, provided all expenses of guarding,

boarding, clothing and medical attendance be furnished by the company; but when a county uses convicts on public roads, it is only required to pay the cost of boarding and medical attendance.

In North Carolina, county or municipal authorities may contract with the directors of the penitentiary for the hire of convicts to work upon roads or streets, but are required to pay into the State treasury therefor a sum equal to the cost of transporting, feeding and clothing and guarding the convicts.

In Wisconsin, the warden is authorized, with the approval of the directors, to lease, by advertisement and sealed bids, the labor of convicts, together with such shop-room, machinery and power as may be necessary for their proper employment. The board of directors may declare any contract forfeited after six months' notice to the contractors, and is authorized to place to the credit of deserving convicts certain portions of their earnings, to be paid to them on their discharge.

In Virginia, convicts may be employed on public buildings, or leased to railroad companies, or to manufacturers for employment within the prison walls. In the last instance such contractors are required to erect their own shops and furnish their own power and machinery.

In 1888 the State of New York ordered all motive power removed from its penal institutions after the expiration of the then existing contracts, and prohibited the manufacture, by those convicts, of any articles other than those to be used in the public institutions of the state.

In 1887 Massachusetts enacted a law prohibiting the leasing of its convicts, and providing for their employment under the direction of the warden and Superintendent for the manufacture of articles to be used in state institutions. Existing contracts were canceled by the warden on ninety days' notice to the contractors. The penal institutions of that State are under the control of a Board of Commissioners who are empowered to aid convicts after their discharge in securing employment. An annual appropriation of $3000

is made to provide them with tools, clothes and other necessaries with which to begin life anew. Two agents, one for each sex, at a salary of $1000 each, are employed by the Commissioners to aid discharged convicts in securing employment.

BOARD OF AGRICULTURE

The Legislature of 1891 revised the law creating the State Board of Agriculture so as to provide that the Board should consist of one member from each Congressional district, in addition to the three ex officio members, who are the Governor, Dean of the Agricultural College and the State Superintendent of Schools. The law also gave the Board a supervisory care over the Agricultural farm and the Agricultural College, and direct control over the Veterinary service of the State. The Board was again organized after the re-forming of the Congressional districts, and now consists of eighteen members. The Thirty-sixth General Assembly appropriated $5,200 for the expenses of the Board, including the salaries of Secretary and Clerk, and $10,000 for holding Farmers' Institutes, and $8,500 for publishing reports, etc. The Institute meetings are better attended than ever before, and are the means of promulgating much valuable information concerning agriculture. The Board has taken great interest in the improvement of county roads, having held one State Road Congress, and is now making roads the subject of discussion at many Institute meetings. It will submit to your honorable body during the present session several bills intended to promote the agricultural interests of the State.

VETERINARY SERVICE

The State Veterinarian resigned soon after the adjournment of the Thirty-sixth General Assembly, and the Board of Agriculture elected Dr. T. J. Turner, of Audrain county, to that place. So far as I am informed, he has made prompt response to all calls for his services made in compliance with the statutes, and has given general satisfaction in the performance of his duties.

Under the Veterinary act of 1889, the Governor is authorized to send a veterinary surgeon to any State or Territory to investigate such dangerous or infectious diseases as may exist there. Under that law I directed the State Veterinarian to go to Montana and investigate and make report on a very destructive malady prevailing among brood mares in that State. He gave the subject a thorough study, and has recently submitted to me a comprehensive report of his conclusions. The report will be published and distributed in the near future, and I think will be of value to the horse-breeders of the State.

The Thirty-fifth and Thirty-sixth General Assemblies made appropriations for payment for animals infected with contagious diseases and slaughtered by order of the State Veterinarian. By means of this precaution, and through the timely action of the State Veterinary service, epidemics among the horses of the State have been prevented.

The Legislature of 1889 appropriated $30,000 for this purpose, and fixed $100 as the maximum value of an animal slaughtered by order of the State Veterinarian; the Thirty-sixth General Assembly reduced the maximum value to $50 and the appropriation to $10,000.

MISSOURI WORLD'S FAIR EXHIBIT

The people of the United States, with singular unanimity, seemed to feel that the 400th anniversary of the discovery of America should be celebrated in this country by an exposition that would portray the civilization of the present day, and the progress made by America and other enlightened nations during the four centuries which have elapsed since the incomparable achievement of Columbus. The Congress selected Chicago as the scene of the exposition, and invited all the civilized countries of the earth to participate. An exhibit of American products with Missouri left out would be incomplete, and such an omission would prove a source of regret to the patriotic citizens of the State, and would be discreditable to their enterprise and public spirit.

I therefore recommended in a special message to the Thirty-sixth General Assembly that provision be made for a display at the Exposition of the resources and products of this great State. In compliance with that request, an act was passed creating a State Board of World's Fair Commissioners, and appropriating $150,000 for the preparation of a State exhibit and the erection of a State building on the Exposition grounds. The commission was appointed in the summer of 1891, and immediately organized for work. An Executive Commissioner was chosen and plans formulated for the collection of specimens that would portray the natural products of the State. Such satisfactory progress has been made that it is stated by the Exposition authorities that the Missouri exhibit is farther advanced in its preparation than that of any other State. Forty thousand dollars of the appropriation has been set aside by the Commission for the erection of a State building, which is now rapidly approaching completion. It is constructed of Missouri material, and is well adapted for the purposes of a State building. After spirited competition between distinguished architects throughout the country, the design of a Missouri architect was accepted. The structure is graceful and attractive, and is located at the intersection of two of the most prominent avenues on the grounds.

The State Commission has made the following apportionment of the funds at its disposal:

State building	$40,000
Live-stock	20,000
Mines and mining	15,000
Horticulture	10,000
Crop exhibit	6,000
Education	6,000
Forestry	5,000
Archaeology	2,500
Birds	1,000
Fish	900

The remainder of the appropriation will be devoted to the administration of the exhibit during its preparation and

display. I feel justified in assuring the people of the State that the part that will be performed by Missouri in this greatest exposition the world has ever seen will compare favorably with that of any sister State, will confirm the estimate in which Missouri resources are held, and give new impetus to her development and progress. In my opinion, the amount appropriated could not have been more advantageously expended if devoted to any other purpose, and if provision for Missouri representation at the World's Columbian Exposition had not been made, failure to do so would have subjected those responsible therefor to merited condemnation.

INSURANCE DEPARTMENT

This Department during the past four years has made a remarkably good record. It has not only been self-sustaining but a source of revenue to the State. When the Department was created the Superintendent was permitted to retain his own salary and that of his assistants, together with the expenses of his office, out of the fees collected, and to pay the remainder, if any, into the State treasury. The Thirty-fifth General Assembly changed the law so as to require the Superintendent to immediately pay all his fees into the State treasury, and only permitted him to draw therefrom such amounts as might be appropriated by the Legislature for defraying the expenses of the department. During the four years of 1889 to 1892, inclusive, the net earnings of the Insurance department have amounted to $43,788.40. At the extra session of February last $40,000 of the Insurance fund was appropriated to the re-erection of the buildings of the State University. The amount remaining to the credit of the fund on January 1, 1893, was $17,894.99. The duties of the Superintendent of Insurance were largely increased by the Legislature of 1889, but there was no corresponding increase authorized in the clerical force of his office. The last General Assembly reduced the salary of the Superintendent to $3,000, to take effect at the expiration of the term of the present incumbent.

AMENDMENTS TO INSURANCE LAWS

The laws of 1889 increased the taxes of insurance companies, and require companies incorporated by other States and countries and doing business in Missouri to pay a tax of 2 per cent on their gross premiums. The companies are given credit for the local taxes on premiums, if any are imposed, and it is made the duty of the Superintendent of Insurance to collect the remainder and pay the same into the State treasury. Such a system is cumbersome and likely to result in loss to the State. The Insurance companies think the tax a great burden, and show that in many instances foreign companies, doing business in Missouri, pay more in losses than they receive in premiums.

The following table will show the amount of this tax levy and the amount collected during the years 1890, 1891 and 1892:

TAX ACCOUNT FOR 1890.

Premiums received by insurance companies in 1889....	$7,775,957.53
Amount of taxes for 1890, levied thereon	$158,014.70
Taxes paid cities, towns and counties for 1890....	74,233.88
Amount State taxes due	83,780.82
Amount State taxes paid	83,410 52
Amount State taxes delinquent	370.30
1891.	
Premiums received by insurance companies in 1890....	$8,680,255 04
Amount of taxes levied thereon for 1891	$175,790.36
Taxes paid cities, towns and counties for 1891	91,329.49
Amount State taxes due	84,460.87
Amount State taxes paid	82,931.19
Amount State taxes delinquent	1,529 68
1892.	
Premiums received by insurance companies in 1891....	$9,051,158.79
Amount of taxes levied thereon for 1892	$182,687.13
Taxes paid cities, towns and counties for 1892	87,692.78
Amount State taxes due	95,012.72
Amount State taxes paid	94,316.13
iAmount State taxes delinquent	696.59

It will be observed that for the three years the sum of $260,657.84 was paid into the General Revenue fund of the State from this source. The Superintendent recommends that the entire tax of 2 per cent, if continued, should be paid to the State direct, either through the Insurance department or the State Treasurer, and suggests that if the local treasuries are entitled to any portion of the tax, it should be paid to them by the State officer collecting it. I concur in the recommendation, and do not think there would be any impropriety or injustice in the State retaining the entire tax collected on insurance premiums. The local taxes of this kind collected during the past three years amounted to $253,256.15, or an average of $84,414 per annum. That sum added to the revenue of 1893 and 1894 would go far toward compensating for the diminution resulting from the decrease in the State levy for revenue purposes.

Most of the delinquent taxes in the above table are owed by companies that have ceased doing business in Missouri, and have declined to pay the tax levy on their premiums. There is no way of forcing collection other than by instituting suit at the places where the companies are located. The amounts due by the respective companies are so small that legal proceedings are hardly justifiable. The remainder of the delinquencies is caused by disagreements between the companies and local authorities as to the amount of local taxes paid—another result of the present unsatisfactory system of collecting insurance taxes.

The Superintendent also recommends a revision of section 5873, Revised Statutes 1889, defining the lines of insurance business to be transacted by companies other than life and fire and marine. This is made necessary by the almost phenomenal growth in the past few years of the lines of business enumerated in the third subdivision of the section cited. The varied and hazardous risks which such companies can take should require them to have a larger paid-up capital than $200,000. Either the capital should be increased, or there should be some restriction as to the kinds of business such companies shall be permitted to engage in.

It is claimed by insurance companies which pay the taxes and licenses prescribed by our laws, that there are a number of associations not legally qualified, not licensed, and paying no taxes, which openly solicit business and do a large business in this State in violation of law. I recommend that all foreign insurance companies doing business in Missouri be compelled to have a local authorized agent.

Other valuable suggestions are made by the Superintendent, and to them I request your thoughtful attention.

FIRE WASTE IN THE UNITED STATES

The destruction of values by fires in the United States is enormous. It is estimated to have been $123,000,000 in 1889, and $109,000,000 in 1890. The losses in 1891 and 1892 will equal if not exceed those figures. Movements have been inaugurated in other states looking toward the adoption of means whereby this tremendous annual destruction of property may be diminished. The number of disastrous fires in this State seems to be increasing from year to year, if not from month to month, and I earnestly recommend such legislation as will tend to diminish them. Specific building regulations and defined requirements as to the location and insulation of electric wires, oils, explosives, etc., should perhaps be left to municipal authorities, but it is permissible for the State to enact laws requiring that inquests be held upon all fires the causes of which are not definitely known. Such laws should designate the officer to make inquiry, and to give information thereof to the prosecuting attorney.

Insurance companies doing business in Missouri claim that it is impossible, under the present law and its construction by the courts, to procure a conviction for arson. It is authoritatively stated that in Missouri it costs 74 cents to pay the fire loss on each $100 insured, while it costs only 48 cents to pay the loss on each $100 insured in Illinois. If this discrepancy can be remedied by amendment of our laws concerning arson, I suggest that the laws be revised, the penalties increased and conviction made less difficult.

LABOR DEPARTMENT

The Thirteenth and Fourteenth Annual Reports of the Bureau of Labor Statistics are forwarded to you herewith. They give a detailed and comprehensive account of the work of that department for the two years ending November 1, 1892. Much valuable information is presented. Reliable statistics concerning the condition of organized labor in the State, the surplus products of Missouri, and the farm mortgages in the State, are submitted in a clear and concise manner. There have been comparatively few strikes, no defiance of law and no disorder which local authorities could not quiet.

BI-WEEKLY PAYMENT LAW

The Thirty-sixth General Assembly, after a vain effort to pass a weekly payment bill, amended the bi-weekly payment law so as to require all operators of mines to pay their employes at least once in every fifteen days, and to pay them the full amount of their earnings to date of payment. As soon as the law went into effect I directed the Labor Commissioner to call the attention of mine operators to it, and to inform them that the State would require and enforce its observance in letter and in spirit. Some difficulty was experienced in procuring compliance, as the penalty in the law is light, and some operators were disposed to question the constitutionality of the enactment. The names of such operators having been furnished me by the Labor Commissioner, I began correspondence on the subject, and announced my intention of calling an extra session of the Legislature, if necessary, in order to enforce an observance of the requirements of the statutes. My advices are to the effect that the law is now substantially observed and has been for the past twelve months. A wise precaution, however, would be to amend the law so as to make its violation a misdemeanor, punishable by fine and imprisonment.

The correspondence on this subject will be found in the Appendix.

RAILROAD SWITCHES, FROGS AND GUARD-RAILS

The Legislature of 1891 affixed a penalty to the law requiring all railroads in the State to block their switches, frogs and guard-rails with the best known modern appliances for that purpose, in order to protect the life and limb of their employes. All railroad companies in the State were officially advised of the amendment. It is the duty of the prosecuting attorneys and grand juries to enforce this statute. Those officers were also advised of the requirements of the law, and the Board of Railroad Commissioners inform me that the railroads of the State have, in every instance within their knowledge, provided the necessary safeguards.

FREE EMPLOYMENT OFFICES

The Labor Commissioner earnestly recommends the establishment of free public employment offices in St. Louis and Kansas City, under the control of his department, at the expense of the State. He gives many strong reasons why such a departure should be made, and shows that the State will receive ample return for the outlay in the great benefit conferred on the unemployed, and the great convenience that will result to those employing labor. In Ohio the method has been adopted with gratifying results. Five offices have been established in that State—at Cincinnati, Dayton, Toledo, Cleveland and Columbus—which, during a period of six months from the opening of the offices, secured employment for 8982 persons out of 20,136 applicants. Persons seeking employment do not often have the means whereby they may pay the demands of the private offices established for the purpose of giving information and assistance in that line. Two free employment offices could be maintained at an annual expense of not exceeding $4000 to $5000. If by the expenditure of that sum the State could be the means of finding employment for even 5000 of its citizens, the policy would be wise. Most of the violations of law are committed by those out of work, and they would, no

doubt, be more careful in observing the rights of others if their necessities were satisfied and their time employed in legitimate pursuits.

GEOLOGICAL SURVEY

The Bureau of Geology and Mines was established by an act approved May 13th, 1889. The Thirty-fifth General Assembly appropriated $20,000, and the Thirty-sixth General Assembly appropriated $40,000 for a geological survey of the State. Much and varied information of a scientific, commercial and historical value has been gathered, collated and promulgated. A general examination of the coal deposits has been made in 25 counties; an examination of the iron ores in 44 counties; of the clay deposits in 80 counties; of the mineral waters in 20 counties; of the zinc and lead deposits in 41 counties, and a study of paleontology has been made in 26 counties. A study of the crystalline rocks of the State has been made and much chemical work done on samples of coal, iron ore, clay and mineral waters. Three thousand five hundred and thirty-four square miles of area have been covered by detailed mapping. This mapping shows with great minuteness the topography of the country, the geology and the distribution of its minerals. The printing of the geological department is paid for out of its appropriation and not out of the general printing fund, as is done in other departments. The publications to date amount to 1560 pages, but much additional data has been obtained and is now in process of preparation for the printer. The technical character of the publications of this department makes its printing very expensive, but justifies the course adopted of having that printing done under the immediate supervision of the State Geologist.

There can be no question as to the State having been amply compensated for the outlay incurred in the establishment and maintenance of the Geological Survey. I recommend that the Survey be continued on as comprehensive a plan as the revenue of the State will justify. The work of

the Survey has attracted the attention and elicited the commendation of scientific men in this country and abroad. The great mineral resources of Missouri are of sufficient magnitude to give remunerative employment to many more desirable laborers and to attract much more capital than have thus far been engaged in their development.

The most prominent location in the Mines and Metallurgy building of the World's Fair at Chicago has been assigned to this State, and an unequaled opportunity thereby afforded for a display of the mineral wealth of Missouri. The State Geologist and his assistants have devoted considerable time to the preparation of such an exhibit, under the direction of the World's Fair Commission of the State. The Legislature does not need to be reminded of the importance of making provision for the preservation by publication of the facts and information already obtained at great cost. It is apparent that failure to do so would be false economy and reprehensible negligence. The previous geological surveys of the State have not yielded the returns anticipated, but their failure to do so is attributable to their having been discontinued at a time when their usefulness had hardly begun. Knowledge as to the geological formation and mineral deposits of the State is not only of great benefit to us as a community and a commonwealth, but of great value to the individual owners of the property. The limits of this message will not admit of my dwelling upon the desirability of a thorough and exhaustive geological survey. The only question to be determined is not whether it should be made, but whether it can be made now. I feel that the work done in this line under the present Administration is wise and creditable, and will stand the test of time and progress.

THE STATE BOARD OF HEALTH

The report of this Department will be forwarded to you in a few days by its Secretary.

The importance of a well-organized Board of Health for preventing the advent or spread of epidemics and bettering the sanitary condition of the State has not been appre-

ciated by former General Assemblies. The present Board is composed of efficient men, representing the different schools of medicine, and has been as diligent in eradicating contagious diseases and promulgating useful information as the means at its command would permit. The fear of a visitation of cholera in the United States during the coming summer should prompt us to pay more attention to this branch of the government. The Board will recommend legislation making compulsory the early organization of local Boards of Health throughout the State, and providing for the payment of their executive officers. I heartily endorse the request. It will also advise the establishment of a medical Board of Examiners, whose duty it shall be to examine and pass upon the educational qualifications and the character of all persons who shall hereafter be permitted to practice medicine or surgery in Missouri. Such a Board could be made self-sustaining, and should prove a safeguard to the people against the malpractices of quacks and impostors. Other recommendations worthy of serious consideration will be made by the Board.

THE FISH COMMISSION OF MISSOURI

Is composed of three members, whose duty it is to stock the waters of the State with such fishes as will furnish cheap and nutritious food for the people. They are to act in conjunction with the Fish Commissioner of the United States, and the Legislature of 1891 appropriated $9,000 for the prosecution of the work. The Commission has established fish ponds in Forest Park at St. Louis, and a hatchery and breeding ponds at St. Joseph. It has a car constructed for distributing fish throughout the State, and has induced all of the railroad companies of the State to transfer it from place to place free of charge. Thousands of young "black bass," "croppie," "German carp" and other varieties of fish have been placed in the streams of the State and delivered without cost to the citizens for their fish-ponds. The benefit of such work is readily apparent. The Commission

urges the enactment of more stringent laws against seining and killing fish by the use of dynamite, and I approve the suggestion.

NATIONAL GUARD OF MISSOURI

The Thirty-sixth General Assembly, for the first time in the history of the State, made an appropriation for the payment of rent of armories and drill halls, and the expenses of encampments of the State National Guard. The action was wise. The money ($25,000) has been judiciously and beneficially expended. A detailed statement of its disbursement will be found in the accompanying report of the Adjutant-General. This branch of the government has never been in such good condition as at present. The statutes limit the membership to 2500 men, including the Cadet corps at the State University. The present organization consists of four regiments of infantry, two batteries of artillery and four unattached companies of infantry and the Cadet corps of the State University, and numbers 183 commissioned officers and 2182 enlisted men.

CADET CORPS

The Cadet corps at the State University is composed mainly of students appointed by members of the Legislature, each Senator and Representative being authorized to appoint, annually, a cadet from his district. Such cadets are matriculated in all the academic departments of the University free from the payment of tuition fees. During the past two years the uniforms of this corps have been furnished by the State; their ordnance stores are provided by the Federal Government. At present there are 122 regularly appointed State cadets, but the corps contains about 40 volunteer cadets in addition. The latter pay for their own uniforms. The law authorizing these appointments was enacted in 1889. It has resulted in giving military training and education facilities to many young men who otherwise would probably have been deprived thereof.

RECOMMENDATIONS

The ordnance stores and the quartermaster supplies of the other branches of the National Guard are furnished by the Federal government. It has long been a custom with most States to provide liberally for their citizen soldiery, and it is advisable that Missouri should continue in a practice which had been too long deferred. Suggestion has been offered and effort made to make the National Guards of the different States a part of the army of the United States, or to establish some kind of a relation whereby State troops would be subject to the orders of the Federal government. I have discouraged such a movement in Missouri, and advise against it should it be renewed in the future. The National Guard of the State should be maintained as an adjunct to the State government, fairly compensated for services rendered, and should be at all times solely subject to State authority.

The assistance of a military force has not been required in Missouri under the present Administration, but the existence of such an organization is wholesome in times of peace and opportune in the event of war.

The report of the Adjutant-General will show the disposition made of the $10,000 appropriated by the last General Assembly for re-writing the records of that department. Requests for information, and certificates of service have largely increased during the past few years, and justify addition to the clerical force of the department.

The law regulating the State National Guard is crude and imperfect, and requires amendment and revision. A bill framed by Brigadier-General Moore, of Kansas City, will be submitted to you, and I bespeak for it your careful consideration. His long service in the National Guard and his unselfish devotion to its interests should give weight to his views.

WORLD'S FAIR DEDICATION

The dedicatory ceremonies of the World's Columbian Exposition at Chicago, October 20, 21 and 22, were made the occasion for the convening and the display of the National

Guards of the different States. A provisional regiment of the National Guard of Missouri, consisting of 642 men, was formed and ordered to Chicago, that Missouri might perform her part in lending luster to an occasion of international importance, and to the end that this State might demonstrate that in all that goes to constitute a well-regulated and well-equipped commonwealth it is abreast of the foremost. It gives me pleasure to be able to inform you that the Missouri troops deported themselves so creditably that their marching, soldierly bearing and general discipline were the subject of commendatory remark by distinguished men representing the United States government and other countries, and by all qualified to pass judgment in such matters. No provision having been made by the Legislature for transporting the troops from their homes to Chicago and return, the following railroads, at my request, furnished the transportation at the reduced rate of one cent per mile, and agreed to wait for their compensation until the Legislature should make an appropriation therefor:

Railroad.	No. of men.	Amount of bill.
Hannibal & St. Joe	142	$1,283 04
Missouri Pacific	82	425 86
Wabash	162	339.00
Atchison, Topeka & Santa Fe	197	1,804 52

The Chicago & Alton R. R. and the St. L. & S. F. R. R. also transported some men, but have not yet rendered bills for same.

STATE LITIGATION

The most important civil case of the State pending in the courts at this time is that of

STATE VS. ST. LOUIS & SAN FRANCISCO RAILROAD

The grounds of action in this suit were given in full in my biennial message to the Thirty-sixth General Assembly, to which I respectfully refer you for information. The suit was instituted January 30, 1890, when the indebtedness of the railroad to the State amounted in principal and interest to about $560,000. At the present time it exceeds $600,000. The suit was made returnable to the April, 1890, term of the St. Louis Circuit Court, but on various pleas of the defendant was continued from term to term, and did not come to trial until Dec. 22, 1891, when, after a trial of several days, further proceedings were postponed until January 9, 1892, when it was again continued until April 5, 1892. In the meantime, on January 6, 1891, permission was granted to the defendant to take depositions in New York, Illinois, Massachusetts, California, Washington, D. C., and Territory of New Mexico. Depositions have been taken in New York, Boston and elsewhere, the State in every instance being represented by counsel.

At the trial of April 5, 1892, it was agreed to dispense with a jury. Much testimony was taken on both sides, oral arguments were made and printed briefs submitted. Before a decision was rendered the judge was taken sick, and after an illness of about six months, advised me that he was unable to resume his duties, and requested the appointment of a provisional judge, under the act of March 18, 1891. Having satisfied myself, by consultation with the associate judges of the St. Louis Circuit Court, and by conference with litigants in that court, that the public necessities demanded that a provisional judge should be appointed, such action was taken, and the case of the State vs. St. Louis & S. F. R. R. had to be reset for trial. It will come up in its regular order, which, it is thought, will be about the last of February or 1st of March next.

The protracted delay in the determination of this case seems to have been unavoidable. I have often requested

the State's counsel to push the matter to a conclusion, but have in every instance been assured by them that the continuances could not be prevented under the practices of our courts. I have had no reason to change my view concerning the validity of the State's claim, as expressed in my message of January, 1891. I earnestly recommend that provision be made for a continued vigorous prosecution of the case by the State.

Under the provisions of the general appropriation bill, approved March 25, 1891, I employed Hon. James O. Broadhead, of St. Louis, as special counsel to assist in the prosecution of this cause. He has given the case thorough investigation and deep study, and informs me that he believes the State will eventually get a verdict for the amount claimed. I have great confidence in his ability and integrity, and advise that his connection with the case be continued.

You will find in the Appendix to this Message a letter from the State counsel in the case giving a history of the litigation up to the present time.

TEXT-BOOK LAW

The Legislature in 1891 enacted a law providing for the creation of a Commission on School Text-Books. It was made the duty of that Commission to select the books to be used in the public schools and to contract with the publishers or dealers for the purchase of the same by the people of the State. The Commission was duly appointed, and was composed of the Superintendent of Public Schools as an *ex officio* member, Hon. Elijah H. Norton of Platte county, ex-Chief Justice of the Supreme Court, Hon. U. S. Hall, member of Congress elect from the Second Missouri district, Prof. Geo. L. Osborne, Principal of State Normal School No. 2, and Mr. Thomas J. Lingle of Henry county, printer and publisher. It met at the capitol, and, after giving much time and attention to the consideration of the matter in hand, decided upon the books to be used, made contracts for same with publishers and regulated the profit to be

charged thereon by the retail dealers. This course was in accordance with recommendation in my biennial message of January 8, 1891. The prices agreed upon resulted in a very considerable saving to the purchasers of school books, and was consequently of great service in promoting education in the State. The Commission states that the cost of text-books before the contracts were entered into was 61 per cent more than it is under the contracts. In appointing the Commission it was my effort to see that all classes and interests should be represented thereon, and that the *personnel* of the appointees should be a guarantee of the integrity and the wisdom of their work. The operation of the law has given general satisfaction, and has been impeded by much fewer obstructions that I anticipated.

The Sedalia school board has put a different construction on the law from that of the Text-book Commission and the Attorney-General, and has been disposed to question and contest the constitutionality of the statute and its effect on the general welfare. At the request of the Commissioners, I directed the Attorney-General to apply to the Supreme Court for a mandamus to compel the Sedalia school board to observe the law, hoping thereby to have the validity of the measure passed upon at the same time, with a view of suggesting alterations to your honorable body, if any should be required. The defendant in the answer filed has also claimed a defect in the title of the act, setting up that said title purports to establish a uniform course of text-books in all the public schools of the State, while the act itself excepts all cities of 100,000 inhabitants or more from its application. January 4, 1893, has been fixed by the Supreme Court as the day for hearing the case. In the event the law should prove in any respect defective, I earnestly recommend that alterations be promptly made to comply with the requirements of the judicial branch of the government, in order that the people may not be deprived of the great benefit resulting from the enforcement of a wholesome statute. I refer you to the correspondence had between the Text-book Commission and the Sedalia school board and

myself on this subject. It will be found in the appendix hereto.

The Commission very properly believe that the children of our public schools should be taught the history of their State, and recommend that the law be amended so as to permit the adoption of a text-book on Missouri. The resolution will be found in the Appendix.

STATE DEPARTMENTS

I cheerfully bear testimony to the able, efficient and faithful manner in which the heads of the various State departments have discharged their duties.

SECRETARY OF STATE

The business of the office of Secretary of State was largely increased by the Thirty-sixth General Assembly. It is difficult to comprehend the additional work entailed by the laws requiring that officer to procure information from every corporation in the State as to its capital stock, surplus, etc., and to procure an affidavit from every corporation to the effect that it is not connected with any pool or trust. There are 7,000 or more corporations in the State, and in many instances continued correspondence was required to obtain the necessary replies or information. The fees of the office have continued to increase. For the four years ending December 31, 1892, they amounted with corporation tax, to $448,034.24, as against $263,603.55 for the preceding four years.

TREASURY DEPARTMENT

The business of the Auditor's and Treasurer's offices has grown with the increase of population and the multiplication of appropriations and disbursements. I am pleased to be able to again report, as in my biennial message of 1891, that the account of every county collector with the State has been adjusted and settled in full, as required by the statutes. But one distress warrant has been issued during

the past two years, and it was ascertained that the occasion for that was sickness in the family of the collector and his necessary absence from home. This record of the Auditor is highly creditable.

The depositories of the State have not been changed since the adjournment of the last Legislature, but the contracts between them and the State will expire within a few days, and advertisements for new bids for the State moneys will be made on or before the 10th day of the present month.

The interest received on State moneys during the past four years has amounted to $48,299.43, as compared with $30,532.88 for the previous four years. It has been paid into the treasury to the credit of the Revenue fund.

ATTORNEY-GENERAL'S DEPARTMENT

The Attorney-General has been the legal adviser of every officer of the State government, and frequent demands have been made on his time and services; to them all he has made prompt and willing response. He has shown commendable diligence, and informs me that 282 cases in the State and Federal courts have been disposed of during his term of office.

SUPERINTENDENT OF PUBLIC SCHOOLS

The legislation of 1891 added greatly to the work of this department. The operation of the Text-book law and the Teachers' Institute law has required a large portion of the Superintendent's time and thought. He has been very attentive to his duties.

RAILROAD AND WAREHOUSE COMMISSIONERS

The report of the Railroad and Warehouse Commissioners, forwarded herewith, will give you information as to the work of that department. All complaints as to exorbitant rates and violations of the railroad law of the State have received prompt attention. The State Grain Inspection,

which is under the control of this department, has given general satisfaction during the past two years. The Commissioners recommend that the weighing of the grain be assumed by the State, and I indorse the recommendation.

NEW LEGISLATION

Recommendations of new laws concerning the revenue, penitentiary, convict labor, insurance and other subjects have been made under their respective headings. The following additional suggestions are offered for your consideration:

ROADS AND HIGHWAYS

From a very exhaustive investigation of the road laws of the different states, I have concluded that comparatively small progress has been made in road legislation. Missouri laws are not effective in this regard, but cannot be materially improved upon without an amendment to the Constitution, permitting the collection of a road tax.

I again urge the Legislature, as in my last biennial message, to compel the payment of poll-tax in money, and to authorize the use of the proceeds thereof in establishing and maintaining county roads by contract.

My views as to the advisability of working convicts on county roads are to be found in that portion of the Message relating to Convict Labor.

ROAD LEGISLATION

There seems to be considerable question as to the constitutionality of imposing special taxes on abutting property for the construction of roads, if that special tax should increase beyond the constitutional limit the entire county tax paid by the property. The courts have decided, however, that special taxes may be legally imposed and collected on town and city realty for the reconstruction of streets, although that tax may cause the property to pay more than the constitutional limit of taxation fixed for cities and towns. The surest method for obtaining good roads is the passage

of a constitutional amendment authorizing the levying of a special tax therefor. The value of good highways is too apparent to require demonstration. I should favor the submission of such a constitutional amendment to a vote of the people.

ROAD LAWS IN OTHER STATES

In Nebraska, roads are made and repaired under the direction of a county board, organized for that purpose. The board lets the contracts to the lowest bidder, and the payment of same is made out of the road fund of the county, which is raised by direct taxation, on which there is a constitutional limit of 5 mills on the dollar valuation.

In New Jersey, the county commissioners, corresponding to out county courts, are authorized to divide the cost of road improvement between the abutting property and the general county road fund.

In New Hampshire, highways are established and maintained by requiring the owners of adjoining lands to pay such part of the cost thereof as may be assessed by the county commissioners. Upon failure to pay, the sheriff may sell such lands, or so much thereof as may be necessary to satisfy the amounts due.

In all of the States mentioned above, private companies may construct macadamized roads and charge tolls thereon, as in Missouri.

In Minnesota more attention has been paid to road legislation than in most of the States. Free turnpikes may be constructed by levying annually, for three consecutive years, one-third of the cost of such roads upon the taxable property lying contiguous to and within certain distances of such roads, as specifically defined by the statute. Subscriptions may be taken up to aid in constructing such roads, and the amounts subscribed may be deducted from the first year's assessment, or from that of any subsequent year, as the subscriptions may be made payable. The construction of these roads is let by contract to the lowest bidder.

In Indiana there is a superintendent of highways in each county, whose duty it is, under the direction of the county commissioners, or county court, to let contracts for the building of highways. Payment therefor is made by a direct tax levy, authorized by the people at a public election.

In Colorado, the road law is similar to that of Missouri, except that a road tax of 5 mills on the dollar, or 50 cents on $100, may be levied for road purposes, in addition to a poll-tax of $1, which may be paid either in money or in labor.

Kentucky road laws are very similar to those of Missouri. In that State, however, many more turnpikes have been constructed as private enterprises than in this State. They are maintained by the collection of tolls, and many of them are sources of profit to the stock-holders.

In Massachusetts, the road law is similar to our own, except that the cost of establishing and maintaining the roads is paid out of the general revenue fund, and there is no poll-tax for such purposes.

The Pennsylvania road law is similar to that of Missouri in authorizing road tax to be paid in money or labor.

The following states have road laws similar to Missouri: North Carolina, Virginia, Illinois, Michigan, Wisconsin, West Virginia, New York, Ohio.

COSTS IN CRIMINAL CASES

Have been the largest item of expenditure by the State government for several years past. They are growing in magnitude from year to year, although the number of convicts in the penitentiary shows no appreciable increase. The appropriation by the Thirty-sixth General Assembly for this object was $585,000. It has all been drawn, and there is a deficit of about $35,000 in the amount claimed of the State. It seems to be impossible, under the present statutes governing trials and convictions, to hold these expenses within proper or economical bounds. In many other States, Illinois, Iowa and Minnesota, such costs are paid by the counties; and I am decidedly of opinion that the adoption of such a policy in this State would greatly

reduce the expense of enforcing our criminal laws. That course would lessen the demands on the State revenue to the extent of half a million dollars or more, which amount could be advantageously applied to the construction of county roads by contract, under State supervision, or to the maintenance of convicts while working on county roads if your judgment preferred.

STATE BANK EXAMINER

In Missouri there are 96 private banks and 452 State banks, with an aggregate capital of $21,352,905, and total deposits of $80,910,442. These do not include the national banks in Missouri, which number 81, with a capital of $24,185,000. The national banks are examined at least once annually by a United States Bank Examiner, who reports to the Comptroller of the Currency. Our law does not provide for an examination of State banks. The law itself is a good one, and if complied with, there would be no occasion for depositors to incur loss. In order that the public may be amply protected, and to the end that entire confidence may be reposed in the solvency of State banks, I recommend that the Legislature provide for the annual or semi-annual examination of private and State banks doing business in Missouri. The safeguards thrown around the national banks by the Federal Government, in requiring annual examinations, and in making stockholders liable for double the amount of stock subscribed, inspire depositors with a feeling of security in patronizing those institutions. State supervision of banks not subject to the national banking law should not only be acceptable to the owners and managers thereof, but should be desired, and their interest should have prompted them to ask for it ere this. Banks complying with the law will be benefited by that fact being authoritatively announced. Those evading or violating the law are a detriment to the law-abiding institutions, and a constant menace to local values and financial confidence. Such a provision by the State is not transcending the legiti-

mate province of government, need not be made burdensome to the banks nor expensive to the State, and would be reassuring to the people. Such laws have been enacted in many of the states.

EXAMINATION OF BUILDING AND LOAN ASSOCIATIONS

Under the act of 1887, authorizing the incorporation of building and loan associations, 435 of such companies have been organized in Missouri. Their aggregate authorized capital stock amounts to $218,858,000. Such corporations serve many good purposes, but only when honestly and judiciously managed. They should be subject to an inquisitorial supervision by the State. All that has been said concerning the good results of bank examinations will apply equally, if not more forcibly, to building and loan associations. In many instances these companies have been organized and conducted by inexperienced and possibly unscrupulous persons. Thousands of unsuspecting men and women have placed their hard-earned savings in building and loan associations with the hope and expectation of securing comfortable homes by additional payments to be made at stated periods, through sacrifice and frugality. The State has given life to these corporations, and should see that their patrons are not victimized.

The law regulating building and loan associations is imperfect, and should be revised so as to require such associations to observe uniformity in keeping their books and in making statements, as is required of banks.

TRUST COMPANIES AND SAVINGS BANKS

The Thirty-sixth General Assembly revised the law concerning trust companies and savings banks, and greatly enlarged their powers. Such legislation was opportune, if not much needed. Other States had far surpassed us in encouraging the organization of institutions which have served worthy purposes elsewhere, and will no doubt do equally well in Missouri under proper control or supervision.

The remarkable success which has attended trust companies and savings banks in this State during their limited existence demonstrates that they possess in a high degree the confidence of the people. It is to the interest of all that this confidence should not be shaken. State examination by experienced and discreet officials will justify the faith of the people and increase the usefulness of the institutions.

BANKING DEPARTMENT

The importance of the duties contemplated in the above recommendations may necessitate the creation of a new State department, in order to insure their efficient and satisfactory performance. If in your wisdom, however, those duties should be given to one of the existing departments, every precaution should be taken that it select expert and fair-minded men, and that no person in any way interested in or indebted to the associations should be permitted to examine them.

Pennsylvania, by an act approved June 8, 1891, created a Banking department, to be conducted by a chief officer, denominated the Superintendent of Banking.

In Nebraska no Banking department has been established, but it is made the duty of the Auditor, Treasurer and Attorney-General to select, once in each year, a suitable person to examine the State banks, and similar institutions, and to make a thorough inspection of their funds, records and other effects. He may administer oaths and examine witnesses. His compensation is $10 per day while actually engaged in the performance of his duties, and is paid by the institutions. Fees in excess of $2000 per annum and traveling expenses are paid into the State treasury to the credit of general revenue.

In New Hampshire the Governor appoints a Board of three Bank Commissioners, who have the supervision over banks and similar institutions, except national banks. They are required to make examination, at least once annually,

when directed by the Governor. They are given a salary of $2000 per year and traveling expenses.

In Indiana the State Auditor, with the approval of the Governor, may, as often as he deems it necessary, appoint a suitable person or persons to examine the various banking institutions of the State, at a compensation of $5 per day for the time employed and $2 for every twenty-five miles traveled, to be paid by the examined.

In West Virginia the Governor is authorized to appoint a competent person, who is an expert in banking, to examine all banking institutions in the State. He is required to make a thorough inspection once each year, and oftener if directed by the Board of Public Works, and make report of same to the State Auditor.

In these states, and in all others where State examination prevails, those performing the examination are placed under bond and prohibited from revealing, or in any way using for the benefit of themselves or others, the knowledge gained in the performance of their official duties. Provision is also made for preventing banking and like institutions from continuing business, and for placing them in the hands of receivers, when their condition requires.

ELECTION LAWS

The Australian election law, enacted by the Thirty-fifth General Assembly, but confined in its operation to cities of 5000 inhabitants or more, was by the Thirty-sixth General Assembly made applicable to the entire State, and the general election of November last was the first held thereunder. It is possible that many voters were prevented from exercising the right of suffrage by want of knowledge as to how the ballot should be cast under that system. However, after a careful examination of the election laws of other states which have adopted similar statutes, I am convinced that our law is equal to any and superior to most. It is clear in its provisions and easy of comprehension by voters, but it might be made more so by an amendment

requiring each political party to select an emblem to be placed at the head of its ticket, whereby every citizen might readily be enabled to vote for the men who represent the principles of his choice.

Another advisable amendment might be made to apply to special elections. The general election laws do not require longer notice than ten days in special elections called to fill vacancies, but the Australian election law requires, in districts composed of more than one county, that the party conventions certify their nominations to the Secretary of State at least twenty days before election. Such certifications might, with safety, be made within ten days of special elections.

I recommend another important amendment. In the Australian election law the States for the first time recognize political organizations. That law permits the committees of the different political parties to fill vacancies occurring in the nominations made by their respective conventions. It is my opinion that this privilege should be conditioned on party committees filling such vacancies with members of their respective parties. Our law requires that all the candidates of a party must be grouped together, under a political heading, and the voters naturally suppose that all names so printed represent men who are members of that party. If the accredited representatives of the political party in convention assembled see fit to nominate as their candidate a man who has already been nominated by another political party, they should not and could not be prevented from doing so, but the committee of a political party cannot consistently name as the nominee of that party one who is already the candidate of another party. They should by law be prohibited from doing so. Such a practice is contrary to the spirit of the law and a deception and an imposition on the voters. It encourages the making of nominations for the purpose of creating vacancies, and is likely to result in bargains and collusions between political managers.

STATE BOARD OF CHARITIES AND CORRECTIONS

It is affirmed, and not without reason, that other states are leading Missouri in the wisdom, economy and enlightened advancement of their methods in humanitarian undertakings. Our expenditures for maintaining eleemosynary and penal institutions are by no means inconsiderable, but they are much less than in many of the older commonwealths, where much more attention is paid to caring for the unfortunate and raising the fallen. It is urged that much good would ensue from placing our asylums for insane, our reformatories and prisons, under the control of a State Board of Charities, which, by thought and attention, could unify and systematize the work and management, and bring about much better results. I think the suggestion a good one, and recommend that it be adopted. The revenue of the State would admit of giving satisfactory compensation to interested and capable citizens who would devote their entire time to the work, to the betterment of the infirm and wayward, and the benefit of society and the State.

The Thirty-sixth General Assembly appropriated $591,-200 for eleemosynary institutions for the years 1891 and 1892. The law provides that each eleemosynary institution shall have a board of five managers, which shall meet once each month, and shall be given an annual salary of $100 each, in addition to their traveling expenses. The penitentiary is under control of a Board of Inspectors, composed of the Treasurer, Auditor and Attorney-General, who receive for that service a yearly salary of $250 each. It will be seen, therefore, that at present the administration or management of the seven eleemosynary institutions and the State penitentiary costs $4250 per annum, in addition to the traveling expenses of the members while attending monthly Board meetings, which will aggregate $4000 per annum additional.

DISPUTED TAXES

My biennial message of January, 1891, contained the following, concerning Disputed Taxes:

Some of the counties have claimed the right to withhold from the State the railroad taxes collected by them, on the ground that the act of March 23, 1868, authorized them to do so. The Auditor is debarred from instituting suit for such taxes by distress warrants, because his right to do so has been withdrawn by an act approved March 31, 1887. Other counties, which are entitled to the same exemption, if constitutional, have paid their railroad taxes into the State treasury. This condition of affairs should be rectified, and I recommend that legislation be enacted looking to that end. These taxes have been withheld since 1882 in the following sums by the counties named

Buchanan	$992 06
Linn	7,986 54
Pike	23,978 72
Ralls	5,071 53
Sullivan	5,752.68
Total	$43,781 53

The Legislature took no action, and the above mentioned counties have retained, in addition to the amounts given above, the railroad taxes collected by them for the years 1891 and 1892. I again recommend the enactment of such a law as will bring about a determination of this long disputed question. It can be accomplished by repeal of the act, approved March 31, 1887, and the passage of a law directing the Auditor to issue distress warrants in cases of this character.

UNIFORMITY OF STATE LAWS

The means of communication between states are so easy and so rapid, the commerce and travel so large, and so much power has been reserved to the states in the Federal Constitution, that it becomes desirable that there should be uniformity between the laws of the different states. There is great variance in state statutes governing divorces, bills

of exchange, insolvency and wills. I called attention to this in my message of January 8, 1891. The states of New York, Georgia, Delaware, Massachusetts, Michigan, Mississippi, New Jersey and Pennsylvania have appointed commissions for promoting uniformity in state legislation. The commissions of several of these states have met, but adjourned to some time in the future, in order that more states might be represented. Such uniformity in all matters of general concern within the control of the states will enable citizens to acquire a better knowledge of the law, instil more confidence in its administration, render transactions between the citizens of different states more surely correct, and lay the foundation for an unbroken line of judicial construction on like subjects. I, therefore, renew my recommendation for the enactment of a law authorizing the appointment of a commission to attend an interstate conference of this character. Representative and qualified citizens could be found who would act without compensation, and, perhaps, at their own expense, if the State should so require.

In this connection, I forward a copy of resolutions passed by the Legislature of Massachusetts, urging the adoption of "legislative measures establishing a uniform policy in dealing with immigrants from foreign countries, and persons migrating from state to state who are dependent upon public or private charity, and are of idle, vicious or criminal habits." These resolutions were sent me by the secretary of that commonwealth, with request that they be submitted to you, and are set forth in the Appendix hereto.

GENERAL RECOMMENDATIONS

In the foregoing I have attempted to give you as thorough information concerning the State government and its requirements as the proper limits of this paper will justify. The recommendations made are the result of a conscientious study of the needs of the State and the best interests of her citizens. I desire to caution you against excessive legislation. Very few new laws are necessary or

advisable. The people of Missouri require very little government. The tendency of the day to incorporate all enterprises and to concentrate all lines of commerce and industry under one management is at variance with the principles of our government, and should be regulated, if not checked. The liberty of the individual should be observed and his opportunities protected in all countries, but especially in this where all stand equal before the law. My views concerning "trusts" and "combines," and the injury to our institutions that will result therefrom if not guarded against, are not changed from the expression given to them in my inaugural address and repeated in my message to the last General Assembly.

The people of this commonwealth are proud of the economical record made by their State government for twenty years past, and desire a continuance thereof. Such a policy is eminently wise. I advise the greatest possible degree of care in disposing of the money collected from the tax-payers.

MATERIAL PROGRESS AND DEVELOPMENT

I have spoken so often concerning the material progress and the wonderful resources of Missouri, that it is not necessary for me to dwell upon them here. The Labor Commissioner in his reports for 1891 and 1892 has compiled statistics showing the surplus products of Missouri shipped from 106 counties during those years. He estimates their value at $106,903,183.00 in 1891, and at $126,027,611.00 in 1892—an increase of nearly 20 per cent in one year. These are the products of farm, forest and mine in Missouri—great care having been exercised that no commodities are included except those that originate within the State. These figures do not embrace the manufactured products of the city of St. Louis, which United States Census Bulletin No. 170, issued March 9, 1892, valued at $228,714,317.00 for the year 1890. That estimate was 100 per cent greater than the value placed on the manufactured product of St. Louis

for 1880 by the Superintendent of the Tenth Census. Census Bulletin No. 229, issued October 12, 1892, shows that the capital invested in manufacturing in Kansas City in 1890 was 482.61 per cent greater than that invested in manufacturing in the same city in 1880. Census Bulletin No. 267, issued October 19, 1892, shows that the capital invested in manufacturing in St. Joseph in 1890 was 220.37 per cent greater than that of 1880. A comparison of the number of hands employed, the cost of material used and the value of products manufactured in those cities, shows a like increase from 1880 and 1890.

The figures given heretofore show the rapid growth in the assessed valuation of the taxable property of the State during the last four years. The assessment of 1892 was $393,000,000 greater than that of 1880—an increase of about 63 per cent. The population of Missouri increased 23.56 per cent during the decade ending June 1, 1890, while the assessed valuation of property increased 47.59 per cent during the same period. These figures are sufficient to show that the progress and development of the State, from a material standpoint, are very gratifying. In social and intellectual advancement, and in everything to be desired by a prosperous, patriotic people, Missouri has kept pace with her sisters, and with the progressive, peace-loving spirit of the age.

THE FUTURE

Our citizens were never so confident nor so resolute as at the present time. Conscious of the advantages and opportunities of residence and effort here, they are sanguine of the future. You assemble under most favorable auspices. For the first time in twenty years our State government will soon be in accord with both the executive and legislative branches of the Federal government, and there is every prospect of such enactments by the Congress as will inure to the benefit of the general interests of this State. I am firm in the belief that under the incoming administration Missouri will make greater progress than during any similar

period for years past. In every arena into which States have entered during the last four years, Missouri has been represented, and the State never held so prominent a relative position in the sisterhood, nor were her resources and her capabilities ever so well known as at present.

In the hope that your deliberations may be harmonious, satisfactory and beneficial to the constituencies you represent, as well as to yourselves, and with sincere wishes for the greatest good of the commonwealth, I have the honor to be,

DAVID R. FRANCIS,
Governor.

VETO MESSAGES

TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 19, 1889

From the Journal of the House of Representatives, p. 339

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 19, 1889.

To the Honorable House of Representatives of the State of Missouri:

Gentlemen—I have the honor to return herewith, without my approval, House bill No. 449, entitled: An act to amend an act entitled, an act to provide for the funding of counties, cities, villages, incorporated towns and township bonds.

Section 3 of this bill, in addition to being so constructed as not to convey any comprehensible meaning, violates section 34, article 4 of the State Constitution, which provides that no act shall be amended other than by setting forth in full not only the words to be stricken out, or the words to be inserted, but also the section in full as it would read when amended. This bill is intended to amend a very important act passed in the session of 1887, and under it the bonded indebtedness of counties, cities, villages, incorporated towns and townships is to be funded. Section 3 of the present law, in lines 4, 5 and 6, states: "Then the county court of such county shall be fully authorized and empowered to proceed at once to fund any part or all of its indebtedness." The bill herewith returned omits these words in setting forth the section as amended, but does not provide for the striking out thereof in the preamble of the section.

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE SENATE

MAY 13, 1889

From the Journal of the Senate, pp. 1107-1108

JEFFERSON CITY, MO., May 13, 1889.

To the President of the Senate:

I return you herewith Senate bill No. 609 without my approval. It is entitled "An act to amend section 4 of an act entitled an act to regulate the sale of tickets, the rate of fare to be charged, and the taxes and license to be paid by street railroad companies in the city of St. Louis, approved March 3, 1869," and is in violation of sections 53 and 54 of article IV of the constitution, inasmuch as it is local or special legislation, and the bill does not recite that the necessary notice of the intention to apply therefor was given by publication in the locality to be affected thereby, at least thirty days before its introduction into the General Assembly. It is true, as claimed, that this bill only amends a special law already on the statute books, and passed before the adoption of the present constitution, and that the constitution permits the repeal of special or local laws without publication of notice; but it at the same time prohibits by implication, if not expressly, the amendment of special or local laws without notice. If such were not the case it would be possible to change the substance and bearing of local laws so as to entirely alter their meaning and force, and thus defeat the object of this provision of the constitution, which is to protect all localities of the state from the passage of laws specially applicable thereto, without due and sufficient notice.

I admit that the invention and application of new and improved motive powers in street railroads necessitates or justifies changes in laws regulating the running thereof, but there is opportunity to do so in the revising bill now pending in the General Assembly, and relating to cities,

towns and villages. The authority to so regulate might be wisely delegated to the authorities of the municipalities where such roads are located.

Respectfully,
DAVID R. FRANCIS,
Governor.

TO THE HOUSE OF REPRESENTATIVES

MAY 18, 1889

From the Journal of the House of Representatives, pp. 1570-1571

CITY OF JEFFERSON, May 18, 1889.

To the Speaker of the House of Representatives:

Sir:—I return you herewith House bill No. 790 without my approval. It is entitled: "An act to prevent swindling by traveling agents, salesmen, canvassers and peddlers, and to provide a penalty therefor."

The object of this bill is doubtless a good one, as I understand it was intended to protect unsuspecting citizens from being swindled by agents of patented or other articles, the quality and use of which are often misrepresented. It is so sweeping and general, however, in its provisions, that if it should become a law it would seriously interfere with the commerce of the State, and eventually work a hardship upon those whom it is intended to benefit. The second clause of the first section, which permits the maker or signer of a note to interpose any defense thereto when suit is brought thereon, regardless whether the note may be in the hands of an innocent purchaser, would seriously impair, if not destroy, the negotiability of commercial paper. The first clause of section 1 includes all commercial travelers or agents selling any article or commodity whatever, and if the bill should go into effect it would necessitate all vendors of merchandise of any nature whatever, to make all of their sales on open account, or to hold until maturity the notes taken therefor. Such a state of affairs would

result in concentrating the entire jobbing interest of the State in the hands of a few houses of unlimited capital, as the inability of merchants with limited capital to negotiate their paper would drive them out of the business.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE HOUSE OF REPRESENTATIVES

MARCH 2, 1891

From the Journal of the House of Representatives, p. 616

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
March 2, 1891.

To the House of Representatives of the State of Missouri:

Gentlemen—I beg to return herewith, without my approval, House bill 286 entitled "An act to authorize the Governor to appoint special judges of circuit courts in cases of absence, continued sickness or physical or mental infirmity of the regular judge, and to fix their compensation."

This bill was designed to furnish prompt relief to the people of a judicial circuit who are suffering great injury in consequence of the continued inability of the judge to hold court or discharge the duties of his office. The remedies provided in the statutes for such cases have been used until they have become ineffectual and have proven inadequate. The bill is general in its application, however, and is very important legislation. Similar emergencies might arise in other circuits, and it is the duty of the Legislature to provide ample remedies for any possible hiatus in any branch of the judiciary, in order that the people may have prompt adjudication of their differences, and that criminals may not go unpunished.

The bill herewith returned is defective in that it fails to provide any method of determining when the disability

of the regular judge has ceased, and does not prohibit the regular judge from exercising his judicial powers while the special judge may be acting. Under this bill, if approved, the Governor could not designate in the commission to the special judge, nor in any other way, when his judicial functions should terminate. The commission of necessity would be issued to the special judge for an indefinite time, and could not be revoked. The special judge would have to agree with the regular judge as to whether or when the latter is restored to physical or mental capacity to resume his duties, before the special judge would abdicate. If the regular judge should be mentally disabled, there would most likely be a conflict of authority between him and the special judge, litigants would suffer inconvenience and damage, and criminals go unwhipt of justice. For these reasons I feel constrained to withhold my approval from the bill.

Respectfully,
DAVID R. FRANCIS,
Governor.

TO THE HOUSE OF REPRESENTATIVES

MARCH 21, 1891

From the Journal of the House of Representatives, p. 1106

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
March 21, 1891.

To the House of Representatives:

Gentlemen—I have the honor to return to you herewith House bill No. 324, entitled "An act to amend section 7755, of article 9, of chapter 138, of the Revised Statutes of 1889 entitled 'An act for the taxation of bridges and telegraph and express franchises'."

In this bill it is proposed to amend the law concerning the assessment and taxation of the local bridges or what are commonly termed "toll-bridges," by placing railroad bridges

over navigable streams in the same category. The present law requires that a railroad bridge and all the terminal tracks of a railroad should be considered a part of the road in its entirety, and that the assessment and taxation thereof should be distributed throughout the length of the line. The method of taxing railroads now in vogue seems to me equitable and just, as the bridges and terminals of a road are mainly useful and valuable by virtue of the traffic contributed by the country through which the road is operated. If the theory proposed in this bill should be adopted and followed to its legitimate conclusions, every expensively constructed mile of road, through a tunnel or over a depression, would be assessed and taxed by the county in which it is located; the valuable terminals in the large cities of the State would be assessed and taxed by those cities, and the sections through which the roads run would be deprived of a large part of the revenue which they now derive from railroad taxation, and to which they are justly entitled. In cases of combination bridges, or those which are both "toll-bridges" and a part of the road-bed of a railroad or "railroad bridges," the roadway or toll features are now assessed and taxed as local property, as are also railroad bridges which are owned and operated by interests other than the railroad itself. I have been told by many members of the General Assembly that the full object and effect of this bill was not understood when it was voted upon. It is such an important change in the manner of assessing and taxing railroads in Missouri that it should be thoroughly considered before being adopted.

For these reasons I feel constrained to withhold my approval.

Respectfully,

DAVID R. FRANCIS,

Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 21, 1891

From the Journal of the Senate, pp. 686-687

JEFFERSON CITY, April 21, 1891.

To the Secretary of State:

Sir—I forward you herewith, without my approval, House Bill No. 310, entitled: "An act to compel the Board of Police Commissioners of cities of one hundred thousand inhabitants and over, to grant each and every metropolitan police officer in active service, two regular holidays in each month." The title of this bill was not changed to conform to the amendments made to the measure during its passage through the General Assembly. Section 1 provides that the board of police commissioners shall grant every metropolitan police officer in active service, "sixteen days a year." The Constitution requires that the subject matter of a bill shall be clearly expressed in its title. The object of this bill was to insure monthly holidays to the members of the metropolitan police force in St. Louis and Kansas City, but the bill fails to accomplish that end, as there is nothing in it to prevent the entire sixteen holidays being given during one or two months.

Furthermore, it does not seem to me that this is a proper subject for legislation by the General Assembly. The metropolitan police departments of the two cities in which this bill applies are controlled by boards of police commissioners appointed by the Governor, with the advice and consent of the Senate, and by the mayors of those cities respectively. Said boards have ample power to grant whatever holidays the efficiency of their departments or the welfare of the policemen justify or demand. The police force, like a regular army, can only be managed successfully by the enforcement of strict discipline, and if

the Legislature encourages the members of the force to believe that they can appeal to it when subjected to real or imaginary hardships, respect for superior officers will be lessened and demoralization will ensue. I have no doubt that the police commissioners of St. Louis and Kansas City, who are faithful and conscientious in the discharge of the trusts committed to them, will see that proper provision is made for the recreation of the men who devote their energies and risk their lives for the preservation of life and property.

Respectfully,
DAVID R. FRANCIS,
Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 21, 1891

From the Journal of the Senate, p. 687

JEFFERSON CITY, April 21, 1891.

To the Secretary of State:

Sir—I forward you herewith, without my approval, Senate bill No. 207, entitled "An act to amend section 3284, of chapter 46, article 2, R. S. 1889, in relation to the 'Supreme Court and Court of Appeals'."

This bill is designed to transfer Audrain county from the jurisdiction of the Kansas City Court of Appeals to that of the St. Louis Court of Appeals, but it fails to accomplish its object. The section proposed to be amended merely provides that the counties named therein, together with the city of St. Louis, shall elect judges of the St. Louis Court of Appeals, but does not specifically place said counties and city under the jurisdiction of that court. The constitutional amendment adopted in November, 1884, and establishing the Courts of Appeals, defined the limits and

jurisdiction of the Courts, and placed Audrain county in the Kansas City appellate district. Section 3 of that amendment gives to the General Assembly the power to change the limits of the appellate districts. An act approved May 30, 1889 (see Laws of 1889, p. 65), transferred Montgomery county from the Kansas City to the St. Louis district, and left Audrain county under the jurisdiction of the former. This bill does not affect the jurisdiction of the Kansas City Court of Appeals, and is unconstitutional inasmuch as it seeks to give the electors of Audrain county the right to vote for judges of the St. Louis Court of Appeals. The constitutional amendment above alluded to provides in section 1 that "each judge, when hereafter elected, shall be elected by the qualified voters of the counties and of the city under the jurisdiction of said court."

The position that giving the right to the electors of Audrain county to vote for a judge of the St. Louis Court of Appeals, transfers that county by implication to the jurisdiction of said court, is not sufficiently clear to my mind to justify the approval of a bill, which if made a law may result in controversy and serious complications as to appellate jurisdiction.

Respectfully,
DAVID R. FRANCIS,
Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 23, 1891

From the Journal of the Senate, p. 688

JEFFERSON CITY, April 23, 1891.

To the Secretary of State:

Sir—I forward you herewith, without my approval, House bill No. 481, entitled "An act to amend sections 2014 and 2015, of chapter 33, of the Revised Statutes of

the State of Missouri of 1889, in relation to the manner of commencing suits and service of notices."

This is what is commonly called the "Julian court bill," and proposes in circuits wholly within one county or city to amend the law concerning the returns to writs and the appearance of a defendant in answer to a summons. It was designed by its author to promote the prompt determination of legal controversies, and in that respect is a step in the right direction. The bill applies only to the city of St. Louis and the counties of Jackson and Buchanan, where courts should be in continuous session, and where terms should be abolished. Any law which will facilitate or hasten the adjudication of lawsuits is not only advantageous to litigants but beneficial to lawyers. It is greatly to be regretted, therefore, that this bill was not framed so as to conform to the other sections of the statutes comprising the code of civil procedure.

The bill provides that writs issued in the circuits above mentioned can be made "returnable upon any day therein stated, not less than fifteen nor more than sixty days from the date thereof, at the option of the party having such writ issued; such return day may be either in term time or vacation."

It also provides that "every defendant served with a summons fifteen days before the return day thereof shall be bound to appear within three days after the return day so named in the writ, and shall demur or answer the petition, unless longer time be given by the court, and all such suits shall be triable forthwith thereafter in due course."

This measure, if approved, will cause great confusion as to the rules of practice. The sections of the bill, if amended as proposed, would apply to all original writs and the answers thereto, and would be incongruous with other sections of the statutes which regulate the returns and answers on special writs. The courts would be kept busy construing the application of the amended sections and reconciling the inconsistencies, and litigation would be so delayed in consequence that it is doubtful whether the bill

would, in the end, accomplish any good. Judges would differ as to the construction of the new law, and under it lawyers, for whom statutes can not be made too clear, would no doubt discover so many grounds of difference as to delay rather than expedite the determination of legal issues. It would seem from representations made in connection with this bill that the code of civil procedure should provide for a more speedy determination of actions. It is charged that the practice act permits repeated continuances and frequent delays, which are taken advantage of by resourceful clients, who have no meritorious defense, to defeat the valid claims of poor plaintiffs whose means and endurance are thereby exhausted. The present code, however, is the result of years of experience and generations of legislation, and any changes should be adopted only after careful consideration, and when all conflicting provisions shall have been harmonized. The next General Assembly will no doubt take up this subject, and if so, the "Julian Court bill" will not prove wholly ineffectual, although it does not now become a law.

Respectfully,

DAVID R. FRANCIS,
Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 23, 1891

From the Journal of the Senate, p. 689

JEFFERSON CITY, April 23, 1891.

To the Secretary of State:

Sir—I forward you, without my approval, Senate bill No. 300, entitled "An act to repeal sections 3136 and 3138, of the Revised Statutes of 1889, chapter 45, article 2, entitled 'County buildings and removal of county seats,' and to enact in lieu thereof two new sections."

This bill proposes to provide means whereby a county seat, not situated on a railroad, may be removed thereto, in the event there is a railroad running through the county. The Constitution in article IX, section 2, provides that "no county seat shall be removed unless two-thirds of the qualified voters of the county, voting on the proposition at a general election, vote therefor; and no such proposition shall be submitted oftener than once in five years." According to this bill the county court shall, on the petition of one-fourth of the voters of the county, submit the proposition as to whether the county seat shall be removed to the railroad, and upon two-thirds of the voters voting therefor, a subsequent proposition shall be submitted on the petition of one-fourth of the voters as to what point on the railroad the county seat may be removed, but only those points on the railroad are to be submitted which are petitioned for by one-fourth of the voters, and the place receiving a majority of the votes is thereby selected as the county seat.

This plan is to my mind an evasion of the constitution, which on this subject is prohibitory. The requirement of a two-thirds vote for the removal of a county seat implies that two-thirds of the voters shall designate the point at which the county seat is to be located. This bill provides that two-thirds of the voters are necessary to displace the county seat or to put it in motion, but that the majority can designate its destination or the point to which it is to be removed. If the proposition to remove the county seat to the railroad can be considered a removal, then five years must elapse, and a general election occur, before the second proposition as the point where the county seat is to be located can be submitted. It is true that there are but few county seats in the State through which railroads have not been constructed, and it is likewise true that for the convenience of the people all county seats should be accessible by rail; but the framers of the constitution realized the convenience of steam transportation sixteen years ago to an equal or greater extent than the travelers of to-day, and if they or the people had intended or desired that the

county seat should go to the railroad instead of the railroad going to the county seat, it is reasonable to conclude that the fundamental law of the State would have so provided. When those counties whose seats of justice are not reached by the locomotive conclude that the trend of population and the interest of the people lie in the direction of the railroad, they will select some definite point thereon at which, under the provisions of the constitution, to locate their temples of justice.

And, in conclusion, this question may well be asked: What vote is it that removes the county seat? The answer to this question must be: The last or majority vote. This question and answer furnish a conclusive summary to the unconstitutionality of the proposed law.

Respectfully,

DAVID R. FRANCIS,

Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 23, 1891

From the Journal of the Senate, pp. 690-691

JEFFERSON CITY, April 23, 1891.

To the Secretary of State:

Sir—I forward you herewith Senate bill No. 77, without my approval.

This bill is entitled "An act to repeal section 1839, of article 1, of chapter 31, of the Revised Statutes of Missouri."

Section 1839 reads as follows: "The provisions of the preceding five sections shall not apply to any claim not presented for allowance within six months after this mandatory act goes into effect, nor to any claim that shall not have accrued subsequent to March 4, 1868." (Laws of 1889, p. 29.)

The preceding five sections alluded to were part of an act, approved March 31, 1887, and were passed for the purpose of enabling boards of public improvements, wherever any might exist, in cities of the State, to allow claims of contractors for work done in pursuance of contracts with the city, and which claims may have been outlawed, either by the statute of limitation or by failure to observe the forms provided by law for the letting of such contracts and the issuing of special tax-bills therefor.

The act also provides that after the claims have been allowed by the boards of public improvements of any city, the municipal assembly thereof may be mandamused to make an appropriation for their payment. The original act did not apply to any claims not presented within one year after the act went into effect, nor to any claims that may have accrued prior to March 4, 1870. The law was amended by act approved May 11, 1889, so as to apply to all claims that may have accrued subsequent to March 4, 1868, provided the same were presented within six months after the approval of the act. As St. Louis was the only city in the State that had a board of public improvements at the time the original act, or the amendment thereto, was approved, the law applied to that city alone.

The object of this bill is to repeal that section of the statutes fixing the time subsequent to which work must have been performed, and defining the period within which the claim must have been presented. The effect of its approval would be to legalize all claims of this nature against the city of St. Louis for work which may have been performed during an indefinite period in the past. The act of 1887 and the amendment of 1889 provided means for the presentation and allowance of all claims for work performed within a period of twenty-one years previous thereto, and I can see no good reason now why additional legislation on this subject is required or merited. I am reliably informed that the claims against the city of St. Louis that may be presented, if this bill should be approved, will aggregate from three hundred to five hundred thousand dollars. If

they had been valid claims, for honest work, they would have been allowed and paid at the time they accrued, unless some municipal officer had been guilty of dereliction or error.

The Constitution, in section 53, article IV, prohibits the General Assembly from passing any local or special law for "legalizing the unauthorized or invalid acts of any officer or agent of the State, or of any county or municipality thereof."

The claims which this bill was intended to benefit must have accrued prior to March 4, 1868; but as to their nature or merit I am not advised, nor does it appear whether the claims are still held by the parties who performed the work, or have become the property of others at a large discount from their face value. A promissory note is barred by limitation ten years after its maturity; an open account can not be collected under the statutes five years after being contracted; claims of the State against her citizens for delinquent taxes can not be enforced after five years. There is no reason why claims of the character sought to be benefited by this bill should be an exception to the well-established policy of the State.

Respectfully,

DAVID R. FRANCIS,

Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 23, 1891

From the Journal of the Senate, p. 691

JEFFERSON CITY, April 23, 1891.

To the Secretary of State:

Sir—I forward you herewith without my approval, House bill No. 677, entitled "An act entitled an act to amend sections 4760 and 4761 of the Revised Statutes of

1889, relating to elections in cities and towns of five thousand inhabitants and over."

The sections which this bill is designed to amend are those portions of the Australian ballot law which define a political party, within the meaning of the statute, as an organization, "which, at the last general election, polled as a party at least three per cent of the entire vote cast in the State, the county or other division or district for which the nomination is made." The bill eliminates the three per cent requirement, and defines a convention of delegates and a primary election as any convention or election which may have been held "by the voters of some political faith" for the purpose of nominating candidates for office. If the bill should be approved, the Secretary of State and the county clerks would be compelled to place upon the tickets prepared by the State for the electors the names, however great in number, that might be certified to them as nominees and candidates for office. Ample provision is made in section 4763 of the election law for the names of independent candidates, or of the nominees of a new political party, being placed on the ballot prepared by the State. Consequently, the charge can not be justly made that the present election law prohibits or prevents the creation of new political parties or the naming of independent candidates for office.

Under this bill, if it should become a law, one or more individuals, without responsibility, could assume the dignity of a political party, and by calling a convention or holding a primary election, could certify their nominees to the Secretary of State and county clerks, who would be compelled to accept them and place their names upon the ticket as *bona fide* nominees and candidates for office. The result would be the formation of *quasi* political parties for the purpose of confusing the voter, and the ballot would be enlarged to such an extent as to render the casting of votes tiresome and protracted. The bill would bring into ridicule and contempt a law which has operated satisfactorily and successfully, and has enabled every elector to deposit a

secret ballot expeditiously and understandingly without intimidation or molestation. No obstructions should be permitted to impede the free exercise of the right of suffrage. Every facility should be extended for the casting of an intelligent ballot, to the end that every citizen may discharge his first duty to the state.

Respectfully,

DAVID R. FRANCIS,

Governor.

VETO RECORDED WITH THE SECRETARY OF STATE

APRIL 12, 1892

From the Journal of the Senate, Extra Session, p. 115

JEFFERSON CITY, MO., April 12, 1892.

To the Secretary of State:

Sir—I forward you herewith, without my approval, the following bills:

Senate bill No. 6, entitled

An act to amend sections 3341 and 3347, and to repeal sections 3373 and 3379, chapter 46, article 3, Revised Statutes of Missouri of 1889, relating to courts of record, and enact new sections in lieu of those so repealed.

Senate bill No. 10, entitled

An act to amend sections 3346 and 3357 of article 3, chapter 46, of the Revised Statutes of 1889, entitled "Circuit courts," and to fix the times for holding the terms of courts in the counties of Putnam, Schuyler, Adair, Macon and Shelby, composing the 27th judicial circuit.

These bills were based on the supposition that no general bill reforming the judicial circuits would be passed at the special session, and were framed for the purpose of making changes in the judicial circuits as they existed previous to the passage of the general bill, which was approved April 7, 1892.

Respectfully,

DAVID R. FRANCIS,

Governor.

SPECIAL MESSAGES

TO THE GENERAL ASSEMBLY

FEBRUARY 6, 1889

From the Journal of the Senate, p. 165

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 6, 1889.

To the General Assembly of the State of Missouri:

Gentlemen: I have the honor to submit herewith for your consideration and action a concurrent resolution passed by the Legislature of Kansas, and forwarded to me by the Governor of that commonwealth. The resolution calls attention to the existence of a "beef and pork combine" or "trust," and cites the fact that the evils of such an organization can be most effectively remedied by concerted and uniform legislation on the part of the States suffering therefrom. It is advisable that appropriate action be taken by your honorable body that will tend to relieve or lighten the hardships under which the agricultural interests of our State are laboring. It is claimed, and not without reason, that while the value of cattle in the hands of the producer has been greatly reduced, the price of beef to the consumer has not been materially lowered. I can see no objection to the proposed conference between the legislatures of the States interested, through appropriate committees, and it is likely much good may result therefrom.

Very respectfully,

DAVID R. FRANCIS,
Governor.

TO THE SENATE

FEBRUARY 19, 1889

From the Journal of the Senate, pp. 223-224

CITY OF JEFFERSON, February 19, 1889.

To the Senate of the State of Missouri:

Gentlemen: I have the honor to inform you, in accordance with the resolution adopted by your honorable body on the 7th inst., requesting me to act for the State in selecting a time and place for the holding of a conference between the different States on the subject of the "beef and pork combine," that the city of St. Louis has been designated as the location and March 12th as the time for holding said conference. I am advised by the Governor of Kansas that the States of Nebraska, Missouri, Texas, Illinois and Kansas have provided for representation at the conference, and that the State of Iowa will also be represented, by appointments made by its Governor, the Legislature of that State not being at present in session.

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE SENATE

MARCH 18, 1889

From the Journal of the Senate, p. 366

JEFFERSON CITY, MO., March 18, 1889.

Hon. S. H. Claycomb, President of the Senate:

Sir: I inclose you herewith the resignation of Hon. George A. Castleman as a member of your body. It was received by me on the 4th inst. Thereupon I advised the Senator that the resignation of a Senator, if presented dur-

ing the session of the Legislature, should be addressed to the presiding officer of the Senate, and also informed him that, inasmuch as the registration books in his district would be undergoing revision from the 13th of March to the 2d of April, the date of the municipal election in St. Louis, it would be inadvisable, if not impracticable, to call an election for his successor to take place before April 2; and consequently, if he could resume his duties by the 5th proximo, it was the desire of his constituents, as well as his colleagues and myself, that he should not resign. Late on the 14th inst., I received a telegram from him, stating. "More mature reflection convinces me that my resignation should go in; please, therefore, present my letter to the President of the Senate." In compliance with his request, I therefore hand you his resignation as a member of your honorable body, regretting that the state of his health will deprive his constituents of his valuable services, and the Senate of his experience and ability as a legislator.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

MARCH 18, 1889

From the Journal of the Senate, p. 367

JEFFERSON CITY, MO., March 18, 1889.

To the General Assembly of the State of Missouri:

Gentlemen: During the second session of the Forty-ninth Congress there was passed an act entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under provisions of an act approved July 2, 1862, and of the acts supplementary thereto," approved March 2, 1887, which made an annual appropriation of $15,000 for the purpose of

establishing agricultural experiment stations, and defraying the necessary expenses of conducting agricultural investigations and experiments, and printing and distributing the results thereof. Section 9 of said act reads as follows: "That the grants of moneys authorized by this act are made subject to the legislative assent of the several states and territories to the purposes of said grants; provided, that payment of such installments of the appropriation made as shall become due to any State before the adjournment of the regular session of its Legislature meeting next after the passage of this act shall be made upon the assent of the Governor thereof, duly certified to the Secretary of the Treasury." My predecessor, under date of January 6, 1888, as per record on file in the office of Secretary of State, gave assent to the provisions of this act to the Secretary of the Treasury of the United States, and requested that such amount as might be or become due to this State under the provisions of said act should be paid to the treasurer of the board of curators of the State university. Such assent, however, might be considered to hold good only until the adjournment of the Legislature meeting next after the passage and approval of the act. I think it advisable, therefore, that your honorable body, being the first Legislature which has convened since the passage of said act, should formally give assent to the provisions of a law whereby the Agricultural College of Missouri will become the recipient from the national government of the sum of $15,000 per annum.

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE GENERAL ASSEMBLY

MARCH 20, 1889

From the Journal of the Senate, p. 404

JEFFERSON CITY, MO., March 20, 1889.

To the General Assembly of the State of Missouri:

Gentlemen: I have the honor to submit to you herewith the fifth biennial report of the Fish Commission of Missouri for the years 1887 and 1888.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

APRIL 15, 1889

From the Journal of the Senate, p. 639

JEFFERSON CITY, MO., April 15, 1889.

To the General Assembly of the State of Missouri:

Gentlemen—I have the honor to forward you herewith a proclamation issued by the Governor, appointing and declaring Tuesday, April 30, 1889, a public holiday. As the General Assembly will not, in all probability, have adjourned before that date, I desire to suggest the advisability of the Legislature formally observing, in an appropriate manner, in joint session, the Centennial anniversary of so illustrious an event as the inauguration of George Washington, the first President of the Republic.

I have the honor to be your obedient servant,

DAVID R. FRANCIS,

Governor.

TO THE SECRETARY OF STATE

MAY 27, 1889

From the Journal of the House of Representatives, p. 1660

JEFFERSON CITY, May 27, 1889.

To the Secretary of State:

Sir:—I forward you herewith joint and concurrent resolution No. 14, submitting a constitutional amendment concerning the judicial department. You will observe from section 14, article 5 of the Constitution, that the Governor is not required to act upon resolutions pertaining to the Constitution.

Respectfully,
DAVID R. FRANCIS,
Governor.

TO THE SECRETARY OF STATE

JUNE 24, 1889

From the Journal of the House of Representatives, pp. 1667-1668

JEFFERSON CITY, June 24, 1889.

Hon. A. A. Lesueur, Secretary of State:

Dear Sir:—I have the honor to transmit to you, with my approval indorsed thereon,

House bill No. 155,

An act for the relief of Taney county.

I have held this bill thus long because I have entertained doubts as to its constitutionality, but after thorough investigation have concluded that circumstances and precedent justify my approving of the measure, and that it comes under the provisions of article 4, section 46 of the Constitution, permitting the "grant of aid in case of public

calamity." The court-house of Taney county has been three times destroyed by fire—twice during the war, and again on December 19, 1885, when, according to the affidavit of the county court, attached hereto, it was impossible to secure any insurance thereon owing to the "disturbed state of public affairs in said county of Taney, and the misrepresentations of the public press." The total assessed value of taxable property in the county from the revenue of 1888 was only $502,341. I find that in 1883, $4,000 was appropriated for a court-house in Pemiscot county, in 1885, $5,000 for a jail in Butler county, and in 1885, $5,000 for the relief of Mississippi county, $5,000 for New Madrid, $3,000 for Pemiscot and $4,000 for Dunklin, and that similar appropriations have been made for other counties since the adoption of the present Constitution.

The practice is injudicious, in my opinion, if not unjust to the State, and I trust no other measure of a like nature will be submitted to me.

In the locality which this appropriation is designed to aid, attempts to enforce law and regulate society have been made by unauthorized associations, which could not be justified under any circumstances. It is hoped that this action on the part of the legislative and executive branches of the government may encourage the legally constituted authorities in the fearless discharge of their duties.

The statutes provide machinery for their own enforcement, and the maintenance of a respectable temple of justice in any community cannot but inspire the people thereof with a deeper reverence for law.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 9, 1891

From the Journal of the Senate, p. 22

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 9, 1891.

To the General Assembly of the State of Missouri:

Gentlemen—I have the honor to hand you herewith my biennial message. It is accompanied by the following documents, which are herewith forwarded through the Senate:

Annual report of the Board of Railroad Commissioners, of July, 1889.

Biennial report of the Adjutant-General.

Annual report of Superintendent of Insurance of April 1, 1890.

Annual report of the State Superintendent of Public Schools of January, 1890.

Biennial report of the Fish Commission.

Annual reports of State Board of Health for 1889-90.

Annual reports of the Labor Bureau for 1889-90.

Very respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 12, 1891

From the Journal of the Senate, p. 34

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 12, 1891.

To the General Assembly of the State of Missouri:

Gentlemen—I have the honor to transmit to you, through the Senate, the report of the Register of Lands of the State of Missouri for the years 1889 and 1890.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 22, 1891

From the Journal of the Senate, p. 59

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 22, 1891.

To the Thirty-sixth General Assembly of the State of Missouri:

Gentlemen—I have the honor to forward you herewith, through the Senate, the report of Messrs. C. B. Rollins of Boone county, F. F. Rozzelle of Jackson county, John F. Williams of Macon county, Elijah H. Norton of Platte county, and Norman J. Colman of St. Louis, composing the Board of Visitors of the State University. This report is submitted in accordance with the provisions of section 8752, of the Revised Statutes of 1889, and, as it manifests an intelligent interest in the University, I call your especial attention to its recommendations.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 22, 1891

From the Journal of the Senate, pp. 59-60

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 22, 1891.

To the Thirty-sixth General Assembly of the State of Missouri:

Gentlemen—The Board of Managers of the Bureau of Geology and Mines, appointed under an act approved May 13, 1889, was organized in August, 1889, and on the 29th of that month Arthur Winslow was elected State Geologist, and entered on the discharge of his duties on the 20th of September, 1889. The progress of the work is set forth in the report of the Geologist, forwarded herewith through the House. The board has endeavored to use the money at its disposal to the best advantage, and is of the opinion that the State is more than amply repaid for the expenditure made by the additional knowledge that has been acquired and the valuable information that has been disseminated concerning the mineral wealth and resources of Missouri. The monthly reports of the Geologist have been of benefit to the public, and the bulletins issued have presented, in practical form, the results of the survey, and have added materially to the literature of Missouri geology. In our opinion the survey should be continued in the line begun, and to enable the accomplishment of that end an appropriation much larger than that of 1889 is desirable, if not necessary. Bulletins Nos. 4 and 5 are now in print and will be ready for distribution in a few days. We desire to call your especial attention to the interesting report of the Geologist, which gives a history of Missouri geology from its beginning, and states, in an impressive manner, the advisability of a

continuation of the present survey, besides showing in detail the progress that has been made since the organization of this board.

Respectfully,

DAVID R. FRANCIS,

Governor and *ex officio* President of the Board of Managers Bureau of Geology and Mines (for the Board).

TO THE GENERAL ASSEMBLY

JANUARY 31, 1891

From the Journal of the House of Representatives, p. 235

STATE OF MISSOURI, DEPARTMENT OF STATE, CITY OF JEFFERSON, January 31, 1891.

To the Thirty-sixth General Assembly of Missouri:

Gentlemen—I have the honor to forward you herewith, as required by the Constitution, a statement of the pardons, commutations and reprieves granted by me during the past two years, and the reasons therefor.

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE GENERAL ASSEMBLY

FEBRUARY 18, 1891

From the Journal of the Senate, p. 260

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 18, 1891.

To the General Assembly of the State of Missouri:

Gentlemen—I have the honor to forward to you herewith, through the House, a communication from the Secretary of State of the United States, enclosing a certified copy

of an act of Congress, approved February 7, 1891, entitled "An act making an apportionment of the Representatives in Congress among the several states under the Eleventh census." You will observe that, by this act, Missouri is given fifteen members in the House of Representatives after the 3d of March, 1893, or with the beginning of the Fifty-third Congress. As the State has at present only fourteen Representatives, this bill gives Missouri one additional, and at the general election in 1892 it will be necessary to elect fifteen members of the Fifty-third Congress. In my opinion it is advisable that the Thirty-sixth General Assembly should re-district the State into fifteen congressional and electoral districts.

Very respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

MARCH 3, 1891

From the Journal of the Senate, p. 359

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
March 3, 1891.

To the Thirty-sixth General Assembly:

Gentlemen—I have the honor to forward you herewith, official returns of the population of Missouri, by counties as made at my request, by Hon. Robert P. Porter, Superintendent of Eleventh Census.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

MARCH 5, 1891

From the Appendix to the Journals of the General Assembly, 1891

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 5, 1891.

To the Thirty-sixth General Assembly:

Gentlemen—The greatest event of modern times, and the achievement of man which is perhaps of greatest moment to the human race, was the discovery of a new world by Columbus. And the people of this country have for years been of one mind as to the propriety and advisability of commemorating in a befitting manner its four hundredth anniversary. There has been no difference of opinion as to the form the celebration should assume. All agreed that a grand International Exposition, under the supervision of the Federal Government, would combine the attractive and the instructive, in showing the progress and civilization of the age.

Four of the great cities of the United States competed for the honor of the location. Congress, after a full presentation of the claims of each aspirant, decided in favor of Chicago; all acquiesced in the determination, and the representatives of the rival cities pledged themselves and those whose cause they advocated to aid in promoting the success of the great undertaking. The contingency which for a time threatened to interfere with the harmonious and effectual accomplishment of the end in view has passed. The Fifty-first Congress has expired, and with it died the Force bill. Let us now in the spirit of loving sisterhood unite with the other States of the Union, co-ordinate and indestructible, to make this great celebration ever memorable as the burial ground of all sectional prejudices, if any remain, and by a concerted effort to promote the prosperity of a common country, to whose grandeur and glory each commonwealth has contributed her due share.

The faith of the United States stands pledged to the character and success of the Exposition. By an act of

Congress approved April 25, 1890, the celebration was authorized, and appropriation made therein for a Government exhibit and to defray the expense of a "World's Columbian Commission" to be appointed by the President, and to consist of two members from each state and territory, to be selected by the Governor thereof. I designated as Commissioners Messrs. C. H. Jones of St. Louis and T. B. Bullene of Jackson, with Messrs. R. E. MacDonald of Buchanan and O. H. Picher of Jasper as alternates, and they were duly commissioned.

The act provided that the President, on having "satisfactory proof that a sum not less than ten million dollars, to be used and expended for the purpose of the Exposition herein authorized, has in fact been raised or provided for," should issue proclamation announcing the time at which the Exposition will open and close, and "in behalf of the Government and people, invite foreign nations to take part in the said Exposition and appoint representatives thereto." The President has promulgated his proclamation, declaring the conditions of the act to have been complied with, and inviting all civilized countries to participate in what promises to be the greatest exhibition of the progress and achievements of mankind that the world has ever seen.

Missouri's honor stands pledged to the support of "The World's Exposition of eighteen hundred and ninety-two." Missouri, with other leading states, entered into competition for the location. Her chief city, St. Louis, was presented by a state and local organization as the most appropriate scene for the celebration. The people of that city guaranteed aid to the extent of $5,000,000, offered a magnificent site free of charge, and defrayed, at considerable expense, the entire cost of the contest. Our efforts were not successful, but the national legislators, appreciating the arguments offered in favor of the interior of the country, and realizing the importance and power of the West, located the Exposition in a neighboring State in the Mississippi Valley. Our people, although disappointed, gracefully yielded to the will of the majority, and have,

since the decision of the subject, looked upon the forthcoming Exposition with a proprietary and patriotic interest.

Missouri's pride should prompt her, as the fifth State in population and in representation in the National Congress, to contribute her share toward the success of this grand celebration, which will be a concentration of the energies of the entire country.

Missouri's interest impels her to embrace this most favorable occasion to display to the world her marvelous products and unequaled resources. The State is now offered an opportunity to demonstrate to all nationalities and all tongues, that her far-famed reputation for mineral wealth is well founded, and that the half has not been told. The enterprise and intelligence of our people, if encouraged by your indorsements and aided by substantial assistance, can and will make Missouri the central figure among the States that will participate in this illustration of the progress of all the centuries. Every Missourian who attended the Centennial of our independence in 1876 was made to blush or hang his head in mortification at the inadequacy and poverty of the display made there by this great commonwealth in the presence of millions of interested visitors.

Missouri is fast growing in population and wealth, but the development of our resources has not been so rapid as their richness merits. A judicious exhibit of our agricultural advantages, live-stock industries, manufacturing and commercial interests, and natural resources, will give a new impetus to our progress. Whilst highly creditable to the State, it will attract a current of immigration and an investment of capital that will repay many fold the money expended and labor undergone. Every citizen, whether farmer, artisan, laborer, merchant, or of the professions, will feel its beneficial effects. The incomparable properties of our State are too little known. The Paris Exposition of 1889 was attended by 32,000,000 people, and it is safe to calculate that the Columbian Exposition of 1892 will be visited by 20,000,000. No exhibit of the industry and resources of America would be complete with Missouri

left out. A world's fair in the Mississippi Valley with no display from Missouri would give the State a prominence she does not covet. Unenviably conspicuous by reason of her absence, she would require constant defense and apology from her sons and daughters who will doubtless visit in multitudes an International Exhibition within a few miles of her borders.

The faith of our country and her pride, the honor of our State and her interest, demand that Missouri should be creditably represented at the World's Columbian Exposition. I earnestly recommend, therefore, that you make as liberal appropriation for the purpose as the estimated revenue of the State for the next two years will admit of, after making provision for the necessary expenses of the government in the order prescribed by the Constitution. I suggest the creation of a State commission, and forward herewith the form of a bill prepared by the National commission. As the building of the Exposition will be dedicated October 12, 1892, and the Exposition opened to visitors not later than May 1, 1893, your successors will not be able to make provision for a State exhibit. Several of the States have made appropriations for their respective displays, and in nearly all of them bills to that effect are now pending. A bill appropriating $300,000 has passed both houses of the California Legislature, and bills have been introduced in Illinois for $1,000,000, Texas for $300,000, Minnesota, Wisconsin, Tennessee and New York for $250,000 each, Nebraska, Colorado, Indiana and Pennsylvania for $150,000 each. The people of the State will, I am confident, approve of an ample allowance for this important object. In my judgment you should set aside at least $150,000, and three times that amount could be profitably applied. As Missouri presents herself in this greatest of expositions, so will she be judged by her sisters and by the nations of the world.

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE GENERAL ASSEMBLY

MARCH 6, 1891

From the Appendix to the Journals of the General Assembly, 1891

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 6, 1891.

To the Thirty-sixth General Assembly:

Gentlemen—I have the honor to forward you herewith a certified copy of an act of Congress, approved March 2, 1891, entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861."

A direct tax of twenty million dollars for war purposes was imposed on the States and Territories and the District of Columbia, by an act of Congress approved August 5, 1861, and Missouri's portion was fixed therein at $761,127.33. The act provided for a reduction of 15 per cent. upon the assessment if the State would assume the collection and payment of it before June 30, 1862. Missouri did not pay any of this tax directly to the United States Government, nor was any of it collected under the act from the people of the State by the officers of the State or Federal Government.

Congress had, by an act approved July 27, 1861, promised to reimburse the several States for any moneys expended or liabilities incurred by them in enrolling, equipping and maintaining militia forces when acting in concert with Federal troops in defense of the Union. Proceeding under that act, and in compliance with an agreement between President Lincoln and Governor Gamble, this State had a larger credit with the Government of the United States than her direct tax assessment amounted to on June 30, 1862, when the latter was due. By act of Congress of July 17, 1862, Missouri's expenditures in enrolling, equipping and

maintaining troops were authorized to be credited to her direct tax, and if the expenditure equalled the tax, the State was to be given the benefit of the 15 per cent reduction for collection, mentioned in the act of August 5, 1861. The State agent for the adjustment of claims against the Federal Government in 1866, Gen. Jno. B. Gray, secured an allowance of the 15 per cent., and thereby reduced Missouri's direct tax from $761,127.33 to $646,958.33, which is the amount, without interest, due this State under the act forwarded herewith.

By reason of the above facts, the provisions of this act relating to the trusts imposed on the states accepting the appropriation do not apply to the State of Missouri, as no portion of Missouri's payment was made otherwise than by the State itself in compliance with the general act of July 27, 1861, and with the ordinance of the State Convention of 1861. Consequently this sum, when accepted, will be the absolute property of the State, and subject to the disposition of the Legislature for any purpose not prohibited by the Constitution.

You will observe from the third section of the act that the Legislature must by resolution accept the amount appropriated in full payment for all claims against the Federal Government for reimbursement of the direct tax, and must authorize the Governor to accept it as such before it can be paid.

The revenue of the next two years will be sufficient to meet the necessary expenses of the State Government, and liberal provision is made annually for the public schools of the State. I do not know of any wiser disposition of this large sum of money, which has so unexpectedly come into the possession of the State, than to apply it to an endowment of the State University. It is a duty enjoined upon the Legislature by the Constitution to furnish within the limits of the State, means for acquiring the highest education that an American citizen should receive. It has long been my desire to see a great university securely established in Missouri under the fostering care of the State, but the want

of sufficient revenue has hitherto prevented the accomplishment of that end. In my opinion we should not permit this rare opportunity to pass without taking advantage of it, to make a great advance toward the desired object. Substantial recognition by the State would encourage private endowments, would increase the interest of the people in the University, and would insure its permanent success.

This sum of $646,958.33 could be added to Seminary fund, when it would be paid back into the State treasury as the law provides, a certificate of indebtedness issued therefor, and the money used by the State for the redemption of its bonded indebtedness. The University would thereby secure an addition of $32,347 to its annual income, and the bonded indebtedness of the State would be reduced by $646,958.33. Of the outstanding bonds of the State, $650,000 will be subject to call March 15, 1891, $400,000 Nov. 1, 1891; $7,000,000 altogether will be subject to call by or before Jan. 1, 1893. You have already provided for the $650,000 from the Sinking fund, and a call for their redemption has been published. This sum could be used for the retirement of the bonds subject to call Sept. 1 and Nov. 1, 1891, and there would be no necessity for purchasing bonds on the market.

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE GENERAL ASSEMBLY

MARCH 23, 1891

From the Journal of the Senate, p. 669

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 23, 1891.

To the Thirty-sixth General Assembly of the State of Missouri:

Gentlemen—I am advised by the Department of the Interior that the distribution made by Missouri of the grant to this State in an act of Congress, approved August 30,

1890, for the support of colleges in which agriculture and the mechanic arts are taught, is satisfactory to the Secretary of the Interior, and that "certification has been made to the treasury department in favor of the State of Missouri for $15,000 of said fund for the fiscal year ending June 30, 1890." House bill No. 328, approved March 13, 1891, provided for the establishment of a manual training school at Lincoln Institute, and appropriated $25,000 therefor. In that bill the grant of the Federal Government was accepted, and the basis of distribution between the white and colored children of the State was made upon the proportion that each class bears to the total enumeration. The Secretary of the Interior informs me that "under the construction placed upon the Federal statutes by that department, the second payment cannot be certified until after report has been made of the distribution of the prior payment."

Respectfully,

DAVID R. FRANCIS,

Governor.

TO THE GENERAL ASSEMBLY

MARCH 23, 1891

From the Appendix to the Journals of the General Assembly, 1891

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 23, 1891.

To the Thirty-sixth General Assembly:

Gentlemen—On the 15th of January I received a letter from the Secretary of War, enclosing a bill with the request that I recommend the same to the Missouri Legislature for passage. A copy of the bill and of the correspondence had between the Secretary of War and myself concerning it is attached hereto.

You will observe that the bill provides that Missouri shall cede "exclusive jurisdiction" to the Federal Government

over the National cemeteries at Jefferson City and Springfield, the Jefferson Barracks reservation near St. Louis, and the Fort Leavenworth Timber reservation in Platte county, and "over and with respect to all lands now or hereafter to be embraced within" those reservations. The only right reserved to the State in the bill was that of concurrent jurisdiction for the serving of civil and criminal processes, "lawfully issued by the courts of the State and not incompatible with the cession," and that right, according to all the decisions bearing on the subject, only has the effect of preventing the reservations over which exclusive jurisdiction has been ceded from becoming harbors for debtors and criminals. Subsequently the Secretary of War, in compliance with suggestions made by myself, consented that the bill be amended so as to permit the State to tax railroads within the limits of the reservations.

The Constitution of the United States, which was cited by the Honorable Secretary of War as authority for the request made by him on behalf of the Federal Government, provides in paragraph 17, sec. 8, art. 1, that the United States may "exercise exclusive legislation" over such "places purchased by the consent of the Legislature of the State in which the same shall be," and designates as the objects for which those places may be acquired and held, to be "the erection of forts, magazines, arsenals, dock yards and other needful buildings." In my last letter of March 16, I advised the Secretary of War that if he would frame and forward to me a bill in accordance with the letter and spirit of the Constitution, I would be pleased to present it to the General Assembly of Missouri and recommend its passage.

National cemeteries are not included in a strict construction of the Constitution in this connection, but there can be no objection on the part of the State to ceding to the Federal Government exclusive jurisdiction over whatever National cemeteries are or may be located in Missouri, and I so informed the Secretary of War.

The Jefferson Barracks reservation consists of 1,700 acres, and all of that area is not required for the purposes of a military post. The Iron Mountain railroad runs through the reservation for a distance of several miles. The timber reservation in Platte county comprises about 1,200 acres, and was originally reserved by the Federal Government for procuring timber therefrom; it is uninhabited, and from the best information I can gather, is not now used for any purpose. I can see no reason why Missouri should cede jurisdiction over this reservation, nor over that portion of the Jefferson Barracks reservation not required for the purpose of a military post, and there are many objections to the State granting exclusive jurisdiction.

Missouri has never manifested any disposition to interfere with the legitimate ownership and control by the Federal Government of places within the borders of the State, and has passed many acts ceding jurisdiction over sites for needful buildings and other purposes. The Jefferson Barracks reservation and Fort Leavenworth Timber reservation were owned by the United States Government when Missouri was admitted into the Union, and in the act of admission exclusive jurisdiction over those areas was not reserved by the Federal Government. The State has never ceded exclusive jurisdiction over those areas, and the Federal Government in its ownership thereof stands in the same relation to the State as it does in its ownership of "government land" in Missouri.

The import of the State ceding exclusive jurisdiction to the Federal Government over large areas within our borders is comprehensive and its effects far reaching. The decisions of State and Federal courts upon this subject are in accord, and all agree that when exclusive jurisdiction is granted, a State has no right to enforce an observance of its laws within the limits of the territory ceded. Crimes in violation of State statutes and not prohibited by Federal statutes could be committed on such reservations with impunity. Spirituous liquors could be sold, and all pursuits required to be licensed by the State and not by the Federal

Government could be followed in defiance of State laws, and to the injustice of our own citizens in like pursuits who bear their proportion of public burdens.

Crimes perpetrated on such reservations in violation of both State and Federal laws could be tried in Federal courts only. In the case of Ft. Leavenworth R. R. vs. Lowe, 114 U. S., p. 525, the Supreme Court of the United States clearly defines the result of a State ceding exclusive jurisdiction over territory within its borders. That opinion cites and indorses decisions by State courts on the same subject, and all are to the effect that the ceding of exclusive jurisdiction by a State over territory within its borders renounces all authority over that territory, and that persons living thereon are not citizens, and their children are not entitled to the privileges of the public schools of the State within whose borders they reside. It is doubtful whether Missouri, after ceding exclusive jurisdiction over these areas, could enforce a compliance with her statutes on the part of the railroads now operated or that hereafter may be constructed within the limits of those reservations.

I have informed the Secretary of War that Missouri will promptly and cheerfully comply with a request to cede exclusive jurisdiction over places acquired and held for purposes within the spirit and letter of the Constitution of the United States. No reply has been received to my last letter of March 16th to the Secretary of War, and this communication has been withheld until now in the expectation of receiving from him a bill framed in accordance with the suggestions made. Your early adjournment precludes further postponement of submission of the matter to your honorable body. I trust you will give to the subject that attention which its importance demands, and will take whatever action may in your wisdom be deemed advisable.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE SECRETARY OF STATE

MARCH 26, 1891

From the Journal of the Senate, p. 675

JEFFERSON CITY, March 26, 1891.

To the Secretary of State:

Sir—I forward you herewith House joint and concurrent resolution No. 11, "Submitting to the constitutional voters of the State of Missouri an amendment to the Constitution thereof, concerning the relief of disabled and crippled firemen by the cities of said State having an organized fire department."

Article 5, section 14 of the Constitution sets forth that resolutions submitting amendments to the Constitution do not require the approval of the Governor.

Article 15, section 2 of the Constitution provides that "the General Assembly may at any time propose such amendments to this Constitution as a majority of the members elected to each house shall deem expedient."

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

MARCH 9, 1892

From the Journal of the Senate, Extra Session, p. 46

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
March 9, 1892.

To the Thirty-sixth General Assembly:

Gentlemen—I forward you herewith a communication from Hon. C. P. Ellerbe, Superintendent of Insurance department, showing there was, on January 1, 1892, a surplus in the Insurance fund of about $46,827.49 available for any

purposes to which the General Assembly may determine to apply it. I heartily approve of the suggestion of the Insurance Superintendent, that at least $40,000 of said balance be appropriated for the re-erection of the buildings of the State University. I know of no reason why such an appropriation cannot be made direct from the Insurance fund.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

MARCH 14, 1892

From the Journal of the Senate, Extra Session, pp. 60-61

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
March 14, 1892.

To the Thirty-sixth General Assembly:

The Constitution of Missouri, in section 8, article 10, fixes twenty cents on the $100 as the maximum "State tax on property, exclusive of the tax necessary to pay the bonded debt of the State;" and the same section provides that "whenever the taxable property of the State shall amount to nine hundred million dollars, the rate shall not exceed fifteen cents." It is the duty of the State Board of Equalization, consisting of the Governor, Auditor, Treasurer, Secretary of State and Attorney-General, to adjust and equalize the taxable property of the State. That Board is now in session equalizing the valuations of the county assessors on which the taxes of 1892 are to be collected. The Board has not yet completed its work, but the assessed value of the taxable property in the State will certainly exceed nine hundred million dollars.

Section 7509 of the Revised Statutes of 1889 fixes one-fifth of one per cent, or twenty cents on the $100, as the annual levy for State revenue. The same section also fixes twenty cents on the $100 as the interest levy for the payment of all State indebtedness; but a subsequent section

(3652), enacted in 1889, reduced the interest levy to one-tenth of one per cent, or ten cents on the $100. In order that the statutes may conform to the limitations of the Constitution, I recommend that section 7509 be amended so that the tax levy for State revenue shall be reduced to fifteen cents on the $100; and that said section be further amended so as to accord with section 8652.

It is true that the decrease of 25 per cent in the State revenue levy as herein recommended will result in a diminution of about $350,000 per annum in the receipts of State revenue as compared with 1891, but the Constitution requires that this step be taken, and section 7509, fixing the revenue levy at 20 cents on the $100, does not determine the rate of taxation, but only the maximum thereof, and legislation is consequently required to fix the tax levy.

It will not be necessary, in consequence of this reduction in taxation, to diminish that proportion of the general revenue which has for the last six years been devoted to the use of the public schools, although it has been one-third of the State revenue instead of one-fourth, the minimum fixed by the Constitution for that purpose.

The appropriations of your honorable body, passed at the regular session of 1891, were wise and liberal, and placed all of the State institutions in such good condition as not to require additional appropriations for repairs and improvements for several years to come. Of the $2,979,478 appropriated by the Thirty-fifth general Assembly in a bill approved May 21, 1889, $191,770.31 reverted to the treasury unused on May 21, 1891; of the $3,159,771.42 appropriated by the Thirty-sixth General Assembly in a bill approved March 25, 1891, an equal, if not a larger sum, is likely to revert in March, 1893.

The appropriations for the maintenance of the eleemosynary and penal institutions of the State are largely in excess of requirements. Lunatic Asylum No. 2, at St. Joseph, has not up to this time drawn one dollar of its maintenance appropriation; and of the $175,000 appropriated for the support of the Missouri Penitentiary, at least $75,000 will revert to

the treasury; in fact, the institution would have been almost self-sustaining, but for the fire that destroyed one of the shops May 23, 1891.

There will be no necessity in 1893 for an appropriation of $150,000 for a State exhibit at the World's Fair. The receipts from fees, licenses and other sources are increasing from year to year, and there is good promise that the revenue of 1893 and 1894 will be ample to defray the expenses of the government economically administered, to maintain in a proper manner the eleemosynary and penal institutions, to provide liberally for educational interests, and sufficient to enable the State to fulfill its moral obligations and keep faith with her people, which is of far greater importance even than reducing the rates of taxation.

In any event, the Thirty-seventh General Assembly will convene in time to revise the revenue laws of the State, if necessity should require.

This recommendation would have been included in the proclamation calling you together, had it been definitely known at that time that the assessed value of the taxable property of the State would exceed $900,000,000. A reduction of twenty-five per cent in the tax levy for State revenue will be the last and crowning act of the Thirty-sixth General Assembly. It will be the second reduction in taxation under the present State administration, which found a total State levy of forty cents on the $100 imposed for revenue and interest, and will leave a total State levy for revenue and interest of twenty-five cents on the $100, a reduction of thirty-seven and one-half per cent. During the same period the assessed value of the taxable property of the State has increased from $789,000,000 to over $900,000,000. And under the same administration the bonded debt of the State will have been reduced to the extent of at least $2,663,000.

Trusting you will see no objection to promptly complying with this recommendation,

I am respectfully,

DAVID R. FRANCIS,

Governor.

TO THE GENERAL ASSEMBLY

MARCH 21, 1892

From the Journal of the Senate, Extra Session, p. 91

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 21, 1892.

To the Thirty-sixth General Assembly:

Gentlemen—It is difficult to over-estimate the importance to Missouri of the improvement of the Mississippi river, and the securing of a good stage of water from the mouth of the Missouri to the jetties. It would cheapen the transportation of our surplus products to the consuming markets of Europe, and every decline in freight rates works a corresponding advance in the value of the products exported.

The people of the Mississippi valley have for years been endeavoring to impress upon the Federal Congress the claims, for special attention, possessed by the Mississippi river.

The large increase in population during the last decade in the states washed by the Mississippi river, and the large proportion which these states contribute to the wealth of the country, justify the Federal Congress in separating the improvement of the Mississippi river from the general river and harbor bill, and in giving to that great "inland sea" a continued annual appropriation of sufficient magnitude to insure a depth of eight feet of water from the Missouri river to the Gulf at all seasons of the year.

The commercial and manufacturing associations of St. Louis, realizing that low water rates to the ocean regulate the freight charges on all rail shipments between the Mississippi river and the Atlantic seaboard, have united in a movement to impress upon Congress the necessity of providing liberally for the improvement of the Mississippi river.

A bill for that purpose has been introduced in the Senate and made a special order for Tuesday, March 22.

A memorial to the Fifty-second Congress, prepared under the direction of the commercial organizations and the municipal government of St. Louis, and favoring a separate, annual and continued appropriation for the improvement of the navigation of the Mississippi river, is presented herewith.

I recommend that you take such action as will strengthen our Senators and Representatives in the Congress in support of this worthy movement.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE SECRETARY OF STATE

APRIL 7, 1892

From the Journal of the House of Representatives, Extra Session, p. 171

JEFFERSON CITY, MO., April 7, 1892.

To the Secretary of State:

Sir—I forward you herewith with my approval, committee substitute for House bill No. 13, entitled "An act to redistrict the State into judicial circuits and fix the terms of courts therein."

This bill will not go into effect until January, 1893, consequently the incongruities in sections 32 and 36, which provide for terms of court beginning in two counties of the same circuit upon the same day, can be corrected by the Thirty-seventh General Assembly before any inconvenience will result therefrom.

DAVID R. FRANCIS,
Governor.

TO THE SENATE

JANUARY 6, 1893

From the Journal of the Senate, p. 13

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 6, 1893.

To the President of the Senate:

I have the honor to forward herewith my biennial message for 1893.

I also submit the following accompanying reports:

13th and 14th annual reports of the Bureau of Labor Statistics for 1891 and 1892.

The annual reports of the Adjutant-General for 1891 and 1892.

Report of Superintendent of Insurance Department.

Biennial report of the Secretary of the School of Mines, Rolla.

Biennial report of the Fish Commission of Missouri.

Report of the Bureau of Geology and Mines.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 7, 1893

From the Journal of the Senate, p. 14

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 7, 1893.

To the Thirty-seventh General Assembly:

I have the honor to forward you herewith, through the Senate, the biennial report of the Register of Lands for the years 1891-2.

By act approved February 25, 1891, the office of Register of Lands was abolished with the expiration of the term of the then incumbent, and the duties of the department were delegated to the Secretary of State. The report shows that there are 808,799 acres of public land belonging to the United States remaining undisposed of within this State, and gives a detailed account of the transactions of the land department during the past two years.

I also forward the annual reports of the State Board of Health for the years 1891 and 1892.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 9, 1893

From the Journal of the Senate, p. 15

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 9, 1893.

To the Thirty-seventh General Assembly:

I have the honor to forward you herewith, through the House, statement of reprieves, commutations and pardons granted by me during the past two years.

Respectfully,

DAVID R. FRANCIS,
Governor.

TO THE GENERAL ASSEMBLY

JANUARY 9, 1893

From the Appendix to the Journals of the General Assembly, 1893

To the Thirty-seventh General Assembly:

It becomes my duty under Sec. 8, Art. 5, Constitution of Missouri, 'at each session of the General Assembly to communicate to you each case of reprieve, commutation or

pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the commutation, pardon or reprieve, and the reason for granting the same.

Under this constitutional provision I submit herewith my report.

DAVID R. FRANCIS,
Governor.

PROCLAMATIONS

OFFERING A REWARD

JANUARY 24, 1889

From the Register of Civil Proceedings, 1889-1892, p. 14

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Robert Clanton is indicted for the murder of three citizens in the county of Callaway, and has fled from justice and cannot be arrested by ordinary process of law, NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and retention of said Robert Clanton until he shall have been secured by the sheriff of said county of Callaway: This reward to remain in force for sixty days from the date of these presents.

In Testimony Whereof, I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 24th day of January A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

FEBRUARY 6, 1889

From the Register of Civil Proceedings, 1889-1892, p. 21

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Ed Brown is charged with killing ——— Saunders in the county of Jasper, and has fled from justice, and cannot be arrested by ordinary process of law, Now, THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and delivery of said Ed Brown to the sheriff of said county of Jasper, in the county of Jasper. This reward to remain in force for ninety days from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the state of
(Seal) Missouri. Done at the city of Jefferson this 6th day of February A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MARCH 7, 1889

From the Register of Civil Proceedings, 1889-1892, p. 34

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—A. O. Thomason and James Taylor are charged with killing E. G. Turley in the county of Shannon, and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Five hundred dollars for the arrest and delivery of said A. O. Thomason and James Taylor to the sheriff of said county of Shannon, at the county seat thereof, within one year from the date of these presents. Two hundred dollars of said reward to be paid for the arrest and delivery, as aforesaid, of said A. O. Thomason and three hundred dollars of said reward to be paid for the arrest and delivery, as aforesaid, of said James Taylor.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 7th day of March A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 12, 1889

From the Register of Civil Proceedings, 1889-1892, p. 48

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS William Kembal is charged by affidavit with the murder of Richard Benning in the county of Marion, and has fled from justice, and cannot be arrested by ordinary process of law. NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Three hundred dollars for the arrest and delivery of said William Kembal to the sheriff of the county of Monroe, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 12th day of April A. D. 1889.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

ON A DAY OF THANKSGIVING

APRIL 13, 1889

From the Register of Civil Proceedings, 1889-1892, pp. 49-51

EXECUTIVE DEPARTMENT, STATE OF MISSOURI.

One hundred years have passed since the inauguration of George Washington as the first president of the Republic. The 30th of April will be the centennial anniversary of that event, which secured to our forefathers the fruits of their victory over the mother country and marked the triumph of constitutional government over the jealousies and rivalries of party strife and sectional animosity. The institutions then established have withstood for 100 years the attacks of foreign foes and the vicissitudes of civil contention, and stand today as the strongest evidence history has furnished of the ability of the people to govern themselves. Time has only served to strengthen confidence in the perpetuity of our form of government and to augment admiration for the wisdom and foresight of its founders. Within this century the nation has grown from a confederation of thirteen infant colonies, held together by an uncertain and varying tie, to a union of forty-two sovereign states, cemented by indissoluble bonds of mutual amity and interest. When the new Republic was formed our own state was part of a foreign possession, and not until one-third of the cycle had passed was Missouri admitted, the twenty-fourth member of the immortal sisterhood of which she is now the fifth in popula-

tion and among the first in wealth, influence and importance. The inauguration of Washington was the inauguration also of a governmental experiment in a new country, under new conditions; it was the dawn of a new day for lovers of Liberty the world over, and its light irradiated the lives of the oppressed of all nations. A national celebration of this event will be held amid the scenes of its occurrence, and be participated in by representatives of all the states, as well as the chief executive and the dignitaries of the nation. Its centennial anniversary has been declared a legal holiday by act of Congress and its observance enjoined upon the people by proclamation of the president.

Deeming it meet and proper that the people of this commonwealth should show due appreciation of their priceless heritage, I, David R. Francis, governor of Missouri, by virtue of authority in me vested, do hereby appoint Tuesday April 30, 1889, a Day of Thanksgiving, and do declare and establish the same a public holiday: And I recommend that the people of the state congregate at their respective places of worship at nine o'clock in the forenoon of that day and return thanks to God for His glorious gift to them of a government of themselves, by themselves and for themselves. I do furthermore suggest that they assemble in appropriate places at convenient times on the same day, renew as patriots their devotion to their country—demonstrate as sovereigns their estimate of our institutions, and by befitting ceremonies commemorate the completion of the first century of constitutional government.

In Witness Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this thirteenth day of April in the year of Our Lord one thousand eight hundred and eighty nine.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

APRIL 19, 1889

From the Register of Civil Proceedings, 1889-1892, p. 53

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Charles R. Carter was convicted of murder in the first degree, in the county of Lawrence, State of Missouri, and afterwards escaped from custody and fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and delivery of said Charles R. Carter to the sheriff of said county of Lawrence at the county seat thereof within one year from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 19th day of April A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 23, 1889

From the Register of Civil Proceedings, 1889-1892, p. 55

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Milton A. McDaniel, who was at the July term 1886 of the Texas county circuit court convicted of the crime of murder and sentenced to be hanged, has fled

from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Three hundred dollars for the arrest and delivery of said Milton A. McDaniel to the sheriff of Texas county, at Houston the county seat thereof at any time within six months from the date of these presents.

In Testimony Whereof I hereto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri—Done at the city of Jefferson this 23rd day of April A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 23, 1889

From the Register of Civil Proceedings, 1889-1892, p. 56

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John A. Pruitt is charged by indictment with the murder of Samuel Gibson in the county of Camden, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and delivery of said John Pruitt to the sheriff of Camden county, at any place within the limits of said county at any time within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 23rd day of April A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MAY 4, 1889

From the Register of Civil Proceedings, 1889-1892, p. 59

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that some person or persons, unknown, in the county of Maries, on the 27th day of April 1889, murdered Thomas McMichael, a deaf mute, and have fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said fugitives to the sheriff of said county of Maries, at the county seat thereof, within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this fourth day of May, A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

MAY 15, 1889

From the Register of Civil Proceedings, 1889-1892, pp. 64-65

The State of Missouri: To all who shall see these presents: Greeting:

Know Ye, that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said State, as trustee for the State Seminary Fund of said state in the sum of Five thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually, at the rate of five per-centum per annum, out of any money in the State Treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year and applied to the maintenance of the Agricultural College and School of Mines, as provided by law. This Certificate of Indebtedness represents certain sums of Money paid into the state treasury by the Treasurer of the Board of Curators of the State University on the 8th day of May 1889, said money being the proceeds derived from the sale of the Agricultural College Lands donated to the State of Missouri, by virtue of an Act of Congress, approved July 2nd 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of Agriculture and the Mechanic Arts." It is non-negotiable, and is issued in compliance with an act of the general assembly of the State of Missouri, approved March 31st 1883, and entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or seminary fund of the State, or that may hereafter be paid into the State treasury etc.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the
(Seal) State of Missouri. Done at the City of Jefferson, Missouri, this 15th day of May 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MAY 30, 1889

From the Register of Civil Proceedings, 1889-1892, p. 71

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Steward Campbell alias Dink Campbell is charged by indictment with the murder of Henry Maize in the county of Morgan, and has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I David R. Francis, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred and Fifty Dollars for the arrest and delivery of said Steward Campbell alias Dink Campbell to the sheriff of said county of Morgan, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the Great Seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 30th day of May A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 18, 1889

From the Register of Civil Proceedings, 1889-1892, p. 79

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Henry Orrick is charged by indictment with the killing of ——— Martin, and has fled from justice, and cannot be arrested by ordinary process of law. Now THEREFORE, I David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and delivery of said Henry Orrick to the jailor of said county of Wayne, at the county seat thereof, within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 18th day of June AD 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

DECLARING A COMMISSION VACATED

JUNE 21, 1889

From the Register of Civil Proceedings, 1889-1892, p. 80

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested I, David R. Francis governor of the State of Missouri hereby declare vacated, from and after the fourth day of July 1889, the commission heretofore issued to Geo. O. Linbarger of Eureka Springs,

Arkansas, as commissioner of deeds for the State of Missouri he having failed to qualify as such commissioner, as required by section 641 of the revised statutes of the State of Missouri 1879.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 21st day of June AD 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 22, 1889

From the Register of Civil Proceedings, 1889-1892, p. 81

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Webster Jackson, charged by indictment with murder in the county of Franklin, has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Webster Jackson to the sheriff of Gasconade county, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 22nd day of June AD 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 25, 1889

From the Register of Civil Proceedings, 1889-1892, p. 88

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that some person or persons unknown, in the county of Lewis, on the 9th day of April 1887 poisoned Robert Peacock and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of two hundred dollars for the arrest and conviction of said fugitives of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 25th day of June AD. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

AUGUST 12, 1889

From the Register of Civil Proceedings, 1889-1892, p. 99

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that some person or persons, unknown, in the City of St. Louis, on the night of the 26th day of June 1889 murdered Anna Weiss, and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and

for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest of said fugitives and their conviction of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the City of Jefferson this 12th day of August 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

AUGUST 12, 1889

From the Register of Civil Proceedings, 1889-1892, p. 100

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that two persons, unknown, in the county of Clay, near Kansas City, on the evening of the 3rd day of August 1889, robbed passengers on a Wabash train, and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and conviction of each of said fugitives of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the City of Jefferson this 12th day of August AD 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

AUGUST 13, 1889

From the Register of Civil Proceedings, 1889-1892, p. 101

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Marion Francis King, charged with the killing of ——— Hobbs in the county of Daviess, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Marion Francis King to the sheriff of said county of Daviess, at the county seat thereof, within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 13th day of August A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

NOVEMBER 11, 1889

From the Register of Civil Proceedings, 1889-1892, p. 131

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Thomas Hendricks, charged with killing James O. Manes in the county of Laclede, has fled from justice and cannot be arrested by ordinary process of law.

Now Therefore I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Thomas Hendricks to the sheriff of said county of Laclede, at the county seat thereof, within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the City of Jefferson this 11th day of November 1889.

David R. Francis.

By the Governor:

A. A. Lesueur,

Secretary of State.

ON THANKSGIVING

November 11, 1889

From the Register of Civil Proceedings, 1889-1892, pp. 131-132

State of Missouri, Executive Department.

In order that the people of this commonwealth may manifest their appreciation of the manifold blessings they have enjoyed during the year soon to close, and give expression to their gratitude to Almighty God for freedom from famine and pestilence, for a bounteous harvest, and abundant prosperity for the priceless gift of a government for the people and the peaceful perpetuity of our institutions.

I, David R. Francis, governor of the State of Missouri do designate Thursday, the 28th of November, instant, as Thanksgiving Day, and I recommend that on that day the people assemble in their houses of worship and give

thanks to providence for the abundance of the year, and signalize their gratitude by bestowing charity upon the poor and performing other good works.

In Testimony Whereof I have set my hand and caused to be affixed the great Seal of the State on
(Seal) this the eleventh day of November, in the year of Our Lord One thousand eight hundred and eighty nine.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

NOVEMBER 18, 1889

From the Register of Civil Proceedings, 1889-1892, p. 135

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Carroll Hicks, charged with killing James Jordan in the county of Madison, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Carroll Hicks (if not already captured) to the sheriff of said county of Madison, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 18th day of November A. D. 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

NOVEMBER 21, 1889

From the Register of Civil Proceedings, 1889-1892, p. 136

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Wilson Howard and William Jennings are charged by indictment with killing William McMichael in the county of Maries, and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Wilson Howard and William Jennings, to the sheriff of said county of Maries, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 21st day of November AD 1889.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

DECEMBER 13, 1889

From the Register of Civil Proceedings, 1889-1892, p. 147

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John Swanigan, charged with killing E. C. Hurst & Wheeler B. Green in the county of Camden, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and conviction of said John Swanigan of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the City of Jefferson this 13th day of December 1889.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THE ENFORCEMENT OF THE CATTLE QUARANTINE

MARCH 15, 1890

From the Register of Civil Proceedings, 1889-1892, pp. 184-187

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

By authority vested in me, and in accordance with section 8785 of the Revised Statutes of 1889 I, David R. Francis governor of Missouri having approved of the following quarantine regulations adopted by the State Board of Agriculture for the purpose of preventing the spread of contagious diseases among cattle, do hereby promulgate same and order that the same be observed and enforced throughout the commonwealth.

WHEREAS, the United States Department of Agriculture declares that "splenetic or Texas fever" exists in all that country lying west of the Mississippi river, and south and east of a line between Missouri and Arkansas, thence running westward on said boundary line to the eastern boundary of the Indian Territory, thence running northward to the southern boundary of Kansas, thence westward along said

boundary of Kansas to the 100th meridian of longitude, thence southward along said 100th meridian of longitude to the southern boundary of Childress county in Texas, thence westward along the southern boundary of the counties of Childress, Hall, Briscoe, Swisher, Castro and Parmer to the eastern boundary of New Mexico, thence south along the eastern boundary of New Mexico, due south to the Rio Grande river, thence east and south along said river to the Gulf of Mexico; be it ordered by the State Board of Agriculture, and the State Veterinarian, assembled within the provision of section 8785 R. S. 1889, that the following rules and regulations shall be adopted as therein provided for.

First—All shippers of cattle from within these limits must have said stock branded or otherwise marked with indestructible tags or other signs to secure their identification and the person or persons in charge of said cattle before transportation, before transporting them into the state of Missouri must be provided with a duplicate affidavit of two responsible parties, whose reliability shall be certified to by the county clerk, or circuit or district court clerk, or by a justice of the peace nearest to the range whereon the said cattle have been held, such affidavit shall set forth (A) The name and post office address of the owner, consignor and consignee: (B) The brands, tags or other marks: (C) The total number of cattle seeking admittance into Missouri, and the county or counties in which such cattle have been held during the preceding ninety days.

Second—All railroads, transportation companies or individuals, on or before transporting, or driving, through, or into the State of Missouri, any cattle from the above described territory shall examine carefully the affidavits of the shipper or party in charge of the cattle, and shall keep one of said affidavits, and there and then the person receiving said affidavit for the company shall certify to the genuineness in writing, giving date and place of such action, and signing his name to it. The railroads or other transportation agencies or companies shall file the affidavits thus received,

or a certified copy thereof with the State Veterinarian at Columbia, Mo. at least once a month. All individuals who shall drive cattle into Missouri from the aforesaid country shall also file a similar affidavit at the time with the state veterinarian.

Third—All the public stock yards which shall keep southern cattle within Missouri shall provide for use between the first of April and the first of December, 1890 a sufficient number of pens to be used exclusively during that period for the accommodation of cattle coming from within the territory above described. Such pens shall be marked or designated by reasonably large signs, conspicuously posted, and bearing in plain and large letters the words "Southern Cattle Pens." And all public stock yards shall, in the first week of April next, file with the State veterinarian an affidavit setting forth clearly that they have complied individually with this section of the rules and regulations.

Fourth—Cattle coming into Missouri from territory within the above-described boundaries shall not during the period aforesaid, be kept, grazed or watered on public ranges, unfenced lands, highways, State lands, or within the corporate limits of any town or city within the state of Missouri, unless quarantined in accordance with article 3 of chapter 167, R. S. 1889.

Fifth—The state veterinarian shall, as far as practicable, cooperate with the United States department of agriculture in the enforcement of the regulation prescribed in its circular letter of February 24, 1890, addressed "To the managers and agents of railroad and transportation companies of the United States," the object of which is to prevent the spread of Texas fever, and in which the following directions for disinfection are set forth.

The cars used to transport such animals and the pens in which they are fed and watered, and the pens set apart for their reception at points of destination, shall be disinfected in the following manner.

(A)—Remove all litter and manure—This litter and manure may be disinfected by mixing it with lime, diluted

sulphuric acid, or if not disinfected, it may be stored where no cattle can come in contact with it until after December 1st.

(B)—Wash the cars and the feeding and watering troughs with water until clean.

(C)—Saturate the walls and floors of the cars, and the fencing, troughs, and shutes of the pen, with a solution made by dissolving four ounces of chloride of lime to each gallon of water: Or disinfect the cars with a jet of steam under a pressure of not less than 50 lbs to the square inch.

Sixth—The state veterinarian may appoint deputies and inspectors to aid him in the enforcement of the above regulations and they are hereby empowered to quarantine, under such rules as may be prescribed by the state veterinarian, all cattle brought into the state in violation of these regulations. *Note* These regulations are adopted by authority of section 8785, Revised Statutes of Missouri 1889, and if approved by the governor the same section provides a penalty for violation, of a fine of not less than $1,000. nor more than $10,000. for each and every offence, to be recovered in any county into or through which such stock is brought.

In Witness Whereof I have hereunto set my hand and caused to be affixed the great seal of the
(Seal) State of Missouri, this fifteenth day of March AD. 1890.

DAVID R. FRANCIS

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MARCH 20, 1890

From the Register of Civil Proceedings, 1889-1892, p. 190

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Jonathan W. Lewis, charged by indictment with killing William S. Ryan in the county of Lawrence has fled from justice, and cannot be arrested by ordinary process of law—

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Jonathan W. Lewis to the sheriff of said county of Lawrence, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 20th day of March AD. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MARCH 24, 1890

From the Register of Civil Proceedings, 1889-1892, p. 192

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Steward Campbell, alias Dink Campbell is charged by indictment with the murder of Henry Maize in the county of Morgan, and has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Steward Campbell alias Dink Campbell to the sheriff of said county of Morgan, at the county seat thereof within six months from the 30th day of May 1890.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 24th day of March A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 19, 1890

From the Register of Civil Proceedings, 1889-1892, p. 202

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Charles R. Carter was convicted of murd e in the first degree, in the county of Lawrence, State of Missouri, and afterwards escaped from custody and fled from justice, and cannot be arrested by ordinary process of law:

NOW THEREFORE, I David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Three hundred dollars for the arrest and delivery of said Charles R. Carter to the sheriff of said county of Lawrence, at the county seat thereof, within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 19th day of April AD. eighteen hundred and ninety.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 2, 1890

From the Register of Civil Proceedings, 1889-1892, p. 220

EXECUTIVE DEPARTMENT, STATE OF MISSOURI.

WHEREAS Frank Crum, charged by indictment with killing Alfred Powell, in the county of Moniteau has fled from justice, and cannot be arrested by ordinary process of law, NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and conviction of said Frank Crum.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 2nd day of June A. D 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 23, 1890

From the Register of Civil Proceedings, 1889-1892, pp. 226-227

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that some person unknown, in the county of Dade, on or about the 17th day of June 1890, murdered Lysander W. Morgan, and fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and conviction of said fugitive within twelve months from the date of these presents.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the State (Seal) of Missouri. Done at the city of Jefferson this 23rd day of June 1890.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

JULY 1, 1890

From the Register of Civil Proceedings, 1889-1892, p. 344

The State of Missouri: To all who shall see these presents: Greeting:

Know Ye, That it is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the State School Fund of said state, in the sum of six thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee, as aforesaid, interest, annually, at the rate of five percent per annum, out of any money in the State treasury not otherwise appropriated, said interest to be paid on the first day of July of each year, and applied to the maintenance of free public schools in the state of Missouri, as provided by law.

This certificate of indebtedness represents certain sums of money paid into the state treasury, and placed to the credit of the State School Fund by virtue of "An act to regulate the appointment of Notaries public in all cities having a population of One hundred thousand inhabitants or more," Approved March 24, 1881, &c

This certificate is non negotiable, and is issued in compliance with the provisions of sections 8,044, 8,047 and 8,653 of the revised statutes of 1889.

In Witness Whereof I have hereunto set my hand and caused to be affixed the great seal of the State
(Seal) of Missouri. Done at office in the City of Jefferson, State of Missouri, July 1st, 1890.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

JULY 8, 1890

From the Register of Civil Proceedings, 1889-1892, p. 234

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John Murphy, charged by indictment with killing Henry Bunn in the county of Stoddard, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and conviction of said John Murphy within twelve months from the date of these presents.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the state
(Seal) of Missouri. Done at the city of Jefferson this 8th day of July A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JULY 25, 1890

From the Register of Civil Proceedings, 1889-1892, p. 239

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, William Perkins, charged with killing Henry Collins in the county of St. Clair, has fled from justice and cannot be arrested by ordinary process of law—NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good

and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and delivery of said William Perkins to the sheriff of said county of St. Clair at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 25th day of July A. D. 1890.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

AUGUST 19, 1890

From the Register of Civil Proceedings, 1889-1892, p. 247

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that some persons, unknown, at or near Otterville, in the county of Cooper, on the 17th day of August, 1890, robbed the express car of a train of the Missouri Pacific Railway Company, and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Five hundred dollars, each, for the arrest and conviction of said fugitives of the crime aforesaid, within six months from the date of these presents—Provided the above reward shall not apply to the capture of any of said fugitives who may have already been arrested.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 19th day of August A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

AUGUST 29, 1890

From the Register of Civil Proceedings, 1889-1892, p. 251

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Peter Renfrow, charged by indictment with killing Charles B. Dorris in the county of Texas, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest of said Peter Renfrow, and his conviction of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 29th day of August A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.
By R. M. YOST,
Chief Clerk.

OFFERING A REWARD

SEPTEMBER 1, 1890

From the Register of Civil Proceedings, 1889-1892, p. 252

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Peter Wright, charged by indictment with killing William Clark in the county of Buchanan, has fled from justice, and cannot be arrested by ordinary process of law. NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest of said Peter Wright and his conviction of the crime aforesaid within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 1st day of September A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

SEPTEMBER 8, 1890

From the Register of Civil Proceedings, 1889-1892, p. 254

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Wm. A. Feltz and Isaac D. Feltz charged with killing Azariah Higgins in the county of Lafayette, have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested and

for good and sufficient reasons appearing, hereby offer a reward of Two hundred dollars each for the arrest of said Wm. A. Feltz and Isaac D. Feltz of the crime aforesaid within six months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this 8th day of September A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.
By R. M. YOST,
chief clerk.

DECLARING A COMMISSION VACATED

OCTOBER 1, 1890

From the Register of Civil Proceedings, 1889-1892, p. 262

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by law, I, David R. Francis, governor of the State of Missouri, hereby declare vacated from and after the 20th day of October 1890, the commission as commissioner of deeds for the State of Missouri, issued to John Noble of the city of Dublin, Ireland, on March 31st 1890, said John Noble having failed to qualify as such commissioner within six months from date of appointment, as required by law.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the City of Jefferson, Missouri, this 1st day of October A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESEUER,
Secretary of State.

OFFERING A REWARD

NOVEMBER 3, 1890

From the Register of Civil Proceedings, 1889-1892, p. 273

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that an unknown negro man, near Springfield, in the county of Greene, on the 16th day of October, 1890, outraged Mary Rush, and had fled from justice, and can not be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of one hundred dollars for the arrest and conviction of said fugitive of the crime aforesaid within six months from the date of these presents.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 3rd day of November A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

NOVEMBER 8, 1890

From the Register of Civil Proceedings, 1889-1892, p. 282

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me, that some persons, unknown, at or near Otterville in the county of Cooper, on the 7th day of November 1890, derailed a train

of the Missouri Pacific Railway Company, and have fled from justice, and can not be arrested by ordinary process of law. Now Therefore, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars each for the arrest and conviction of said fugitives of the crime aforesaid within six months from the date of these presents. Provided the above reward shall not apply to the capture of any of said fugitives who may have already been arrested.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 8th day of November A. D. 1890.

David R. Francis.

By the Governor:
A. A. Lesueur,
Secretary of State.

OFFERING A REWARD

November 10, 1890

From the Register of Civil Proceedings, 1889-1892, p. 284

State of Missouri, Executive Department.

Whereas John C. Turlington charged with killing Thomas C. Cranmer in the county of Cooper has fled from justice, and can not be arrested by ordinary process of law.

Now Therefore, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing hereby offer a reward of Three hundred dollars for the arrest and delivery of said John C. Turlington to the sheriff of said county of Cooper, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 10th day of November A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THANKSGIVING

NOVEMBER 18, 1890

From the Register of Civil Proceedings, 1889-1892, pp. 316-317

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

The people of Missouri have abundant cause for rendering thanks to Almighty God for the many blessings of the past year.

For the rich harvests and the general prosperity which have crowned their industry and enterprise, for the continued boon of a free government, and the renewed promise of its perpetuity for their children, as well as their preservation from famine and pestilence and their freedom from war, they should manifest their appreciation and gratitude.

NOW, THEREFORE, in order that the established and venerated custom of setting apart a day for general thanksgiving may be observed, I, David R. Francis, governor of the State of Missouri, in accordance with the law of the State and the proclamation of the president of the United States, do hereby nominate Thursday the 27th day of November, instant, Thanksgiving day, and declare it a public holiday: And I request that upon that day the people of Missouri abstain from their customary labors and meet in their respective houses of worship, and at their home firesides to return to the Almighty their gratitude for the fulness of the year and the unwavering manifestation of Divine Good-

ness, as well as to invoke a continuance of God's blessings for the year to come. I recommend that the day be observed also by the performance of good works, by acts of charity and a generous and fraternal offering of comfort and assistance by the prosperous to the unfortunate and the needy.

In Testimony Whereof I have set my hand and caused to be affixed the Great Seal of the State
(Seal) on this the 18th day of November, in the year of Our Lord One thousand eight hundred and ninety.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON AN AMENDMENT TO THE STATE CONSTITUTION

NOVEMBER 18, 1890

From the Register of Civil Proceedings, 1889-1892, pp. 318-320

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS the Thirty fifth General Assembly of the state of Missouri, at its regular session begun and held on the 2nd day of January 1889, required by a concurrent resolution the submitting to the qualified voters of the state, to be voted on at the general election to be held on the Tuesday next following the first Monday in November 1890, the following amendment to the Constitution of Missouri concerning the judicial department, to-wit:

Section 1. The Supreme court shall consist of seven judges, and after the First Monday in January 1891 shall be divided into two divisions, as follows: One division to consist of four judges of the court and to be known as division number one; the other to consist of the remaining judges and to be known as division number two. The

divisions shall sit separately for the hearing and disposition of causes and matters pertaining thereto, and shall have concurrent jurisdiction of all matters and causes in the supreme court, except that division number two shall have exclusive cognizance of all criminal cases pending in said court; Provided, that a cause therein may be transferred to the court as provided in section four of this amendment. The division of business of which said divisions have concurrent jurisdiction shall be made as the supreme court may determine. A majority of the judges of a division shall constitute a quorum thereof, and all orders, judgments and decrees of either division, as to causes and matters pending before it, shall have the force and effect of those of the court.

Section 2. Upon the adoption of this amendment, the governor shall appoint two additional judges of the supreme court, who shall hold their offices until the first Monday in January, 1893, and at the general election in the year 1892 their successors shall be elected, who shall hold their offices for a term of ten years, as other judges of the supreme court. The two judges appointed by the governor, together with the judge elected at the general election in the year 1890, shall constitute division number two, and the remaining judges shall constitute division number one. The court shall elect its chief justice and each division a presiding judge thereof.

Section 3. The supreme court shall assign to each division the causes and matters to be heard by it, of which assignment due public notice shall be given, and all laws relating to practice in the supreme court, as well as the rules of the supreme court, shall apply to each division so far as they may be applicable thereto. The opinion of each division shall be in writing, and shall be filed in the causes in which they shall be respectively made during the term at which the cause is submitted, and such opinions shall be a part of the records of the supreme court. Each division shall have authority to issue the original writs and exercise

the powers enumerated in section Three of article six of the Constitution.

Section 4. When the judges of a division are equally divided in opinion in a cause, or where a judge of a division dissents from the opinion therein, or where a federal question is involved, the cause, on the application of the losing party, shall be transferred to the court for its decision, or where a division in which a cause is pending shall so order, the cause shall be transferred to the court for its decision.

Section 5. Whenever in the opinion of the supreme court the state of its docket with reference to the speedy disposition of the business of the court will justify dispensing with the divisions herein before provided, the court shall dispense therewith, and the court shall thereafter hear and determine all causes pending in it; Provided, however, that the court shall have power to again divide itself into two divisions, in like manner and with like power and effect as herein before provided, whenever in the opinion of six judges thereof, entered of record, the condition of its docket, with reference to the speedy disposition of the business of the court shall so require; and in such division the four judges oldest in commission shall constitute division number one and the remaining judges division number two.

Section 6. All provisions of the constitution of the state, and all laws of thereof not consistent with this amendment shall, upon its adoption be forever rescinded and of no effect.

And, WHEREAS, it was certified to me by the secretary of state on the 18th of November 1890, that it is found from the returns of said election that a majority of the qualified voters of the state voting for and against said amendment had voted at said election in favor of said amendment.

NOW, THEREFORE, I, David R. Francis, governor of the state of Missouri, in consideration of the premises and in accordance with the requirements of section 4755 of the revised statutes, 1889, of Missouri, do hereby declare the amendment aforesaid to be ratified by a majority of the

qualified voters of the state, and to be valid and binding to all intents and purposes as a part of the constitution of the state of Missouri.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the city of Jefferson this 18th day of November A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

NOVEMBER 24, 1890

From the Register of Civil Proceedings, 1889-1892, p. 326

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that some person, unknown, in the county of Maries, in the month of September 1890, murdered James Lawson, colored, and has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred and fifty dollars for the arrest and conviction of said fugitive of the crime aforesaid within six months from date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) state of Missouri. Done at the city of Jefferson this 24th day of November A. D. 1890.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

NOVEMBER 28, 1890

From the Register of Civil Proceedings, 1889-1892, p. 328

WHEREAS, some person or persons, unknown, are charged with killing Jacob May, in the county of Bollinger, and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a reward of Three hundred dollars for the arrest and conviction of said unknown person or persons of the crime aforesaid within six months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 28th day of November, A. D. 1890.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

DECEMBER 18, 1890

From the Register of Civil Proceedings, 1889-1892, p. 340

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, some person or persons unknown, are charged with causing the death of Miss Augusta Tovell in the city of St. Louis and have fled from justice, and cannot be arrested by ordinary process of law:

Now Therefore, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a reward of Three hundred dollars each, for the arrest and conviction of the perpetrators of the crime aforesaid within six months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State
(Seal) of Missouri. Done at the city of Jefferson this 18th day of December AD 1890.

David R. Francis.

By the Governor:
A. A. Lesueur,
Secretary of State.

OFFERING A REWARD

March 2, 1891

From the Register of Civil Proceedings, 1889-1892, p. 372

I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby declare and order that the offer of a reward of seventy five dollars for the arrest, and fifty dollars for the conviction, of William Nichols, offered by the acting governor of Missouri, September 26th 1887, shall cease and determine six months from the date of these presents if not earned before that.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 2nd day of March, 1891.

David R. Francis.

By the Governor:
A. A. Lesueur,
Secretary of State.

ON THE CATTLE QUARANTINE

MARCH 27, 1891

From the Register of Civil Proceedings, 1889-1892, pp. 383-386

By authority vested in me, and in accordance with section 8785 of the revised statutes of 1889, I, David R. Francis, governor of Missouri, having approved of the following quarantine regulations adopted by the State Board of Agriculture for the purpose of preventing the spread of contagious diseases among cattle, do hereby promulgate same and order that the same be observed and enforced throughout the commonwealth. Whereas, the United States Department of Agriculture declares that "splenetic or Texas fever" exists in all that country lying east and south of a line commencing at the southeast corner of the territory of New Mexico, thence running northerly along the eastern boundary of New Mexico to the southwestern corner of the county of Cochran, State of Texas, thence easterly along the southern boundaries of the counties of Cochran, Hockley, Lubbock, Crosby, Dickens and King, to the one hundredth meridian of longitude; thence northerly along said one hundredth meridian to the southern boundary of the state of Kansas; thence easterly along the southern boundary of the state of Kansas to the northeast corner of the Indian Territory; thence southerly along the eastern boundary of the Indian Territory to the southwestern corner of the State of Missouri; thence easterly along the southern boundaries of the state of Missouri and the State of Kentucky and the state of Virginia to a point where said boundary is intersected by the Blue Ridge Mountains; thence in a northeasterly direction, following said Blue Ridge Mountains to the southwestern corner of the county of Madison, state of Virginia; thence easterly along the southern boundaries of the counties of Madison, Culpeper and Stafford, thence northerly along the eastern boundary of Stafford county to the Potomac River; thence, following

the Potomac River, southerly to the Chesapeake Bay; thence easterly along the southern boundary of Maryland to the Atlantic Ocean; be it ordered by the State Board of Agriculture and the state veterinarian, assembled within the provisions of section 8785, Revised Statutes 1889, that the following rules and regulations shall be adopted as therein provided for:

First—From the first of April to the first of December, each car carrying cattle in course of transportation from said area into or through the State of Missouri shall bear a placard setting forth plainly and in bold letters that said car contains southern cattle, and when said cattle shall be unloaded north or west of the above described line to be fed or watered, the places occupied by the animals shall be considered infectious grounds subject to quarantine and shall be immediately set apart by the owners or lesses of the property for the accommodation of infectious southern cattle; no other cattle shall be admitted thereto. At points of destination said cattle shall also be placed in separate southern cattle pens as prescribed in section fourth of these regulations. Second. Whenever any cattle that have come from said area shall be reshipped from any of the points at which they have been unloaded to other points of destination the car carrying said animals shall also bear a placard stating that said car contains southern cattle, and each of the way bills of said shipment shall have a note upon its face with a similar statement.

At whatever point in Missouri these cattle are unloaded they also shall be placed in separate southern cattle pens to which no other cattle shall be admitted. Third—Cattle from the above described area shall not be transferred on foot into or through the State of Missouri, from April first to December first 1891. Fourth—All the public railroad or other stock yards which shall keep or receive southern cattle for trade or in transit within Missouri shall provide for use, between the 1st of April and the 1st of December 1891, a sufficient number of pens to be used exclusively during that period for the accommodation of

cattle coming from within the territory above described. Such pens shall be marked or designated by reasonably large signs, conspicuously posted and bearing in plain and large letters the words "Southern Cattle Pens." And all public stock yards shall, in the first week of April next, file with the state veterinarian an affidavit setting forth clearly that they have complied individually with this section of the rules and regulations. Fifth—Cattle coming into Missouri from territory within the above described boundaries shall not, during the period aforesaid, be kept, grazed or watered on public ranges, unfenced lands, highways, state lands or within the corporate limits of any town or city within the State of Missouri, unless quarantined in accordance with article 3 of chapter 167. Revised Statutes 1889. Sixth—The state veterinarian shall, as far as practicable, cooperate with the United States Department of Agriculture in the enforcement of the regulations prescribed in its circular letter of February 5, 1891, addressed "To the managers and agents of railroad and transportation companies of the United States, stockmen and others," the object of which is to prevent the spread of Texas fever, and in which the following directions for disinfection are set forth: The cars used to transport such animals and the pens in which they are fed and watered, and the pens set apart for their reception at points of destination, shall be disinfected in the following manner: (a) remove all litter and manure. This litter and manure may be disinfected by mixing it with lime, diluted sulphuric acid, or, if not disinfected, it may be stored where no cattle can come in contact with it until after December 1, (b) wash the cars and the feeding and watering troughs with water until clean, (c) saturate the walls and floors of the cars, and the fencing, troughs and chutes of the pens with a solution made by dissolving four ounces of chloride of lime to each gallon of water, or disinfect the cars with a jet of steam under a pressure of not less than fifty pounds to the square inch. Seventh—The State veterinarian may appoint deputies and inspectors to aid him in the enforcement of the above

regulations, and they are hereby empowered to quarantine under such rules as may be prescribed by the state veterinarian, all cattle brought into the state in violation of these regulations: Note—These regulations are adopted by authority of section 8785 Revised Statutes of Missouri 1889, and if approved by the governor, the same section provides a penalty for violation, of a fine of not less than $1,000. nor more than $10,000. for each and every offense, to be recovered in any county into or through which such stock is brought. Sheriff, and constables in Missouri are hereby directed to enforce these regulations and to arrest any and all parties who may be guilty of violation thereof.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the great seal
(Seal) of the State of Missouri, this 27th day of March A. D. 1891.

DAVID R. FRANCIS,
Governor.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MARCH 27, 1891

From the Register of Civil Proceedings, 1889-1892, p. 387

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS some unknown person or persons are charged with arson by setting fire to public school houses in district No. 5, township 61, range 14, in the county of Adair and have fled from justice, and can not be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer

a reward of one hundred and fifty dollars each for the arrest and conviction of said unknown person or persons of the crime aforesaid within six months from the date hereof.

In Testimony Whereof—I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 27th day of March A. D. 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

APRIL 1, 1891

From the Register of Civil Proceedings, 1889-1892, pp. 437-438

The State of Missouri: To all who shall see these presents: Greetings:

Know ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said State, as trustee for the State Seminary Fund, in the sum of Six hundred and forty six thousand and nine hundred and fifty eight and twenty three one hundredths dollars ($646,958.23), payable fifty years after date, upon which sum the said state hereby promises to pay to the State Board of Education interest semi-annually, at the rate of five per centum per annum, out of any money in the State treasury not otherwise appropriated, said interest to be paid on the first day of July and January of each year and applied—four fifths to the maintenance of the state University at Columbia, and one fifth to the maintenance of the school of mines at Rolla, as provided by law. This certificate of indebtedness represents a certain sum of

money reimbursed by the United States to the State of Missouri for the direct tax charged against her in the act of congress of August 5, 1861, and exacted of her by the United States in settlement of claims for expenditures incurred by her in arming, equipping and subsisting troops employed in concert with the federal authorities, which reimbursement was provided for in the act of Congress passed March 2, 1891: which said sum of money was by an act of the general assembly of the State of Missouri, approved March 26, 1891, entitled "An act to appropriate money for an increase of the 'Seminary fund' for the support of the State University and the redemption of bonded indebtedness"—set apart and appropriated for the purposes declared in this certificate, which is non negotiable, unconvertible and non-transferable, and shall be sacredly held and preserved in the State Treasury as part of the seminary fund.

In Witness Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at office in the City of Jefferson, State of Missouri this first day of April A D 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 13, 1891

From the Register of Civil Proceedings, 1889-1892, p. 394

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, S. S.

WHEREAS, Louis Bulling, charged with murder in the county of Andrew, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a reward of Three hundred dollars for the arrest and delivery of said Louis Bulling to the sheriff of said county of Andrew, at the county seat thereof, within sixty days from the date of these presents:

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 13th day of April, A. D. 1891.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

MAKING KNOWN THE STATE SENATORIAL DISTRICTS

APRIL 23, 1891

From the Register of Civil Proceedings, 1889-1892, pp. 398-400

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, the Thirty Sixth General Assembly of the State of Missouri, which met on the 7th day of January AD 1891, this being the first session of the general assembly after the decennial census of the United States for 1890, adjourned without having revised and adjusted the apportionment of the state for senators and into senatorial districts as required by the Constitution of this state; and it is provided, that if at any time, or from any cause, the said general assembly fails or refuses to district the state as aforesaid, the governor, secretary of state and attorney general shall as required by the constitution and in the manner and within the time prescribed in section seven, article four thereof, perform said duty. And, Whereas, the governor, secretary of state and attorney general met

within the time specified in said section and performed said duty of districting the state for senators and into senatorial districts, and have as required by said section filed in the office of the secretary of state on the 23rd day of April 1891, a full statement of the districts formed by them including the names of the counties embraced in each and the numbers thereof.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, hereby proclaim and make known the senatorial districts of this state, their numbers, and the counties embraced therein, so apportioned, districted, numbered and certified as aforesaid, to be as follows:

First District—The counties of Atchison, Gentry, Holt, Nodaway and Worth.

Second District—The county of Buchanan.

Third District—The counties of Andrew, Clay, Clinton, DeKalb and Platte.

Fourth District—The counties of Harrison, Mercer, Grundy and Livingston.

Fifth and Seventh Districts—The county of Jackson.

Sixth District—The counties of Sullivan, Adair, Linn and Chariton.

Eighth District—The counties of Caldwell, Carroll, Daviess and Ray.

Ninth District—The counties of Boone, Macon and Randolph.

Tenth District—The counties of Callaway, Montgomery, St. Charles and Warren.

Eleventh District—The counties of Audrain, Lincoln and Pike.

Twelfth District—The counties of Lewis, Clark, Scotland, Knox, Schuyler and Putnam.

Thirteenth District—The counties of Marion, Monroe, Ralls and Shelby.

Fourteenth District—The counties of Camden, Cooper, Howard, Moniteau and Morgan.

Fifteenth District—The counties of Benton, Hickory, Pettis and Saline.

Sixteenth District—The counties of Bates, Cedar, Henry and St. Clair.

Seventeenth District—The counties of Cass, Johnson and Lafayette.

Eighteenth District—The counties of Barry, Lawrence, McDonald and Newton.

Nineteenth District—The counties of Christian, Douglas, Ozark, Stone, Taney, Webster and Wright.

Twentieth District—The counties of Dade, Dallas, Greene and Polk.

Twentyfirst District—The counties of Bollinger, Butler, Cape Girardeau, Carter, Ripley and Wayne.

Twenty second District—The counties of Howell, Laclede, Oregon, Shannon and Texas.

Twenty third District—The counties of Dunklin, Mississippi, New Madrid, Pemiscot, Scott and Stoddard.

Twenty fourth District—The counties of Crawford, Dent, Iron, Madison, Reynolds, and Washington.

Twenty fifth District—The counties of Franklin, Gasconade and Saint Louis.

Twenty sixth District—The counties of Jefferson, Perry, St. Francois and Ste. Genevieve.

Twenty seventh District—The counties of Cole, Maries, Miller, Osage, Phelps and Pulaski.

Twenty eighth District—The counties of Barton, Jasper and Vernon.

Twenty ninth, Thirtieth, Thirty first, Thirty second, Thirty third and Thirty fourth Districts—The city of Saint Louis.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of (Seal) the State of Missouri—Done at the city of Jefferson this twenty-third day of April A. D. 1891.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

MAY 14, 1891

From the Register of Civil Proceedings, 1889-1892, p. 408

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, E. B. Soper, charged with killing his wife and two children in the county of Cass, has fled from justice, and cannot be arrested by ordinary process of law. Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a reward of Three hundred dollars for the arrest and conviction of said E. B. Soper of the crime aforesaid within six months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the state of
(Seal) Missouri: Done at the city of Jefferson this 14th day of May A. D. 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MAY 16, 1891

From the Register of Civil Proceedings, 1889-1892, p. 410

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Charles R. Carter was convicted of murder in the first degree, in the county of Lawrence State of Missouri, and afterwards escaped from custody, and fled from justice, and cannot be arrested by ordinary process of law. Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a

reward of three hundred dollars for the arrest and delivery of said Charles R. Carter to the sheriff of said county of Lawrence, at the county seat thereof within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State
(Seal) of Missouri. Done at the city of Jefferson this 16th day of May A. D. Eighteen hundred and ninety one.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 2, 1891

From the Register of Civil Proceedings, 1889-1892, p. 416

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Wm. A. Feltz, and Isaac D. Feltz, charged with killing Azariah Higgins in the county of Lafayette, have fled from justice, and cannot be arrested by ordinary process of law. NOW THEREFORE I, David R. Francis governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a reward of two hundred dollars each for the arrest and conviction of said Wm. A. Feltz and Isaac D. Feltz, of the crime aforesaid within one year from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the state of
(Seal) Missouri. Done at the city of Jefferson this 2nd day of June 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 22, 1891

From the Register of Civil Proceedings, 1889-1892, pp. 420-421

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS Louis Bulling, charged with murder in the county of Andrew, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, hereby offer a reward of three hundred dollars for the arrest and delivery of said Louis Bulling to the sheriff of said county of Andrew, at the county seat thereof within sixty days from the date of these presents.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 22nd. day of June A. D. 1891.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

JULY 1, 1891

From the Register of Civil Proceedings, 1889-1892, p. 426

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, some unknown person is charged with killing Theodore Smith, in the county of Buchanan, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, Governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Three hundred dollars for the arrest and conviction of said unknown person of the crime aforesaid, within twelve months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this first day of July A D 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JULY 1, 1891

From the Register of Civil Proceedings, 1889-1892, p. 426

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS some unknown person is charged with killing Maggie Campbell, in the county of Newton, and has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the state of Missouri, by virtue of authority in me vested, hereby offer a reward of Three hundred dollars for the arrest and conviction of said unknown person of the crime aforesaid, within twelve months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri. Done at the city of Jefferson this first day of July A. D. 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

AUGUST 1, 1891

From the Register of Civil Proceedings, 1889-1892, p. 435

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Thomas Hendricks, charged with killing James O. Manes, in the county of Laclede, has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested hereby offer a reward of Two hundred dollars for the arrest and conviction of said Thomas Hendricks of the crime aforesaid within twelve months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this first day of August A D. 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

AUGUST 31, 1891

From the Register of Civil Proceedings, 1889-1892, p. 445

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, some unknown person or persons are charged with derailing and attempting to wreck the Southbound Burlington Express on the Keokuk and Northwestern Railroad about four miles south of Louisiana Missouri, on Sunday August 30th 1891, and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis governor of the State of Missouri, by virtue of authority in me vested hereby offer a reward of Five hundred dollars for the arrest and conviction of said unknown person or persons of the crime aforesaid within six months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the City of Jefferson this 31st day of August AD 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THE DEATH OF ALBERT P. MOREHOUSE

SEPTEMBER 24, 1891

From the Register of Civil Proceedings, 1889-1892, p. 453

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, September 24, 1891.

The sudden and untimely death of Ex-Governor Albert P. Morehouse pained and shocked the people of the commonwealth, and it is with feelings of deep sadness that I make formal announcement of the demise of one who has so ably and creditably served his state as chief executive. As official and as citizen he performed his part with fidelity and fearlessness. The conscientious discharge of duty is not only the greatest personal satisfaction a public servant can experience, but it commands the respect of those whose trust he holds and elevates the standard of private life as well as that of official conduct. The many sterling qualities of the lamented dead make his loss the greater to his country and his fellow men, whom his experience had only fitted him the better to serve. May we treasure his memory and emulate his virtues.

As a tribute of respect, I, David R. Francis, governor, do hereby direct that the flags on the State buildings be placed at half-mast until after the obsequies, and that the state offices be closed at noon on Saturday, September 26th —the day fixed for the funeral.

DAVID R. FRANCIS.

OFFERING A REWARD

NOVEMBER 9, 1891

From the Register of Civil Proceedings, 1889-1892, p. 466

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Charles R. Carter was convicted of murder in the first degree, in the county of Lawrence, state of Missouri, and afterwards escaped from custody and fled from justice, and can not be arrested by ordinary process of law: NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of three hundred dollars for the arrest and delivery of said Charles R. Carter to the sheriff of said county of Lawrence at the county seat thereof, within six months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the city of Jefferson this 9th day of November eighteen hundred and ninety one.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

NOVEMBER 9, 1891

From the Register of Civil Proceedings, 1889-1892, pp. 466-467

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Jonathan W. Lewis, charged by indictment with killing William S. Ryan, in the county of Lawrence, has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of two hundred dollars, for the arrest and conviction of said Jonathan W. Lewis of the crime aforesaid within twelve months from the date of these presents.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the state of
(Seal) Missouri. Done at the city of Jefferson this 9th day of November A. D. 1891.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THANKSGIVING

NOVEMBER 16, 1891

From the Register of Civil Proceedings, 1889-1892, pp. 469-470

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

The people of this Commonwealth have abundant cause to be thankful. For the peace and harmony and respect for law that prevail throughout their jurisdiction, for their freedom from pestilence and famine, for the bountiful harvests with which they have been blessed, for their

constant progress in material development, for their attainment of a higher intellectual and social state, for the uninterrupted growth of a broader humanity, for the continued enjoyment of a free government, for the manifold blessings, public and private, of which they have been the recipients, they should express their gratitude to Him who rules over the destinies of men and of nations. It is a beautiful custom, worthy of general observance and far reaching in its beneficent influence, that a powerful people, in the highest stage of civilization, and conscious of their might, should recognize and acknowledge their obligation to Almighty God.

NOW THEREFORE, I, David R. Francis, governor of Missouri, by virtue of authority in me vested do hereby designate Thursday the 26th of the present month as a day of Thanksgiving and Prayer, and do recommend and request that upon that day the people abstain from their customary labors, and assembled in their usual places of worship, and around their firesides give voice to their gratitude, and by deeds of benevolence and words of encouragement make all to feel a common inheritance, in the Brotherhood of Man and the Fatherhood of God.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of
(Seal) Jefferson this 16th day of November, in the year of our Lord one thousand eight hundred and ninety one, and the Independence of the United States the one hundredth and sixteenth, and of the State of Missouri the seventy second.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JANUARY 4, 1892

From the Register of Civil Proceedings, 1889-1892, p. 485

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS, Henry Williams, charged with killing Ben Gooch in the county of Howard, has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred dollars for the arrest and conviction of said Henry Williams of the crime aforesaid within twelve months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 4th day of January A. D. 1892.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JANUARY 4, 1892

From the Register of Civil Proceedings, 1889-1892, p. 485

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS, William Walker, charged with killing Green Morrison in the county of Howard, has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of two hundred dollars for the arrest and conviction of said William Walker of the crime aforesaid within twelve months from the date hereof.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal
(Seal) of the State of Missouri. Done at the city of Jefferson this 4th day of January A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JANUARY 10, 1892

From the Register of Civil Proceedings, 1889-1892, p. 500

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Robert R. Young, charged with rape, in the county of Harrison has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred dollars for the arrest and delivery of said Robert R. Young to the sheriff of said county of Harrison, at the county seat thereof, prior to January 1st 1893, and the conviction of said Robert R. Young of the crime aforesaid.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) state of Missouri. Done at the city of Jefferson this 10th day of January AD. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

CALLING AN EXTRA SESSION OF THE GENERAL ASSEMBLY

JANUARY 16, 1892

From the Journal of the Senate, Extra Session, pp. 3-4

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority vested in me by the Constitution of the State of Missouri, I, David R. Francis, Governor, do hereby convene the Thirty-sixth General Assembly in extra session at the capitol in Jefferson City, on Wednesday, February 17, 1892, at 12 o'clock m., for the following purposes:

To divide the State into fifteen Congressional districts, in accordance with the number of Representatives in the Congress apportioned to Missouri by an act of Congress approved February 7, 1891.

To divide the State into Legislative or Representative districts in compliance with the provisions of the State Constitution, article 4, section 2.

To re-form the Judicial circuits of the State and to adjust the salaries of the State Judiciary.

To make provision for the re-erection of the buildings of the State University, recently destroyed by fire.

To cede to the Federal Government jurisdiction over Jefferson Barracks reservation while used as a military post.

To make appropriation for the expense of this extra session of the General Assembly.

In Testimony Whereof, I hereto set my hand and cause to be affixed the great seal of the State of (Seal) Missouri. Done at the City of Jefferson this 16th day of January, A. D. 1892.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

JANUARY 18, 1892

From the Register of Civil Proceedings, 1889-1892, p. 492

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS, Fred Neff, charged with killing Chris. Plattner, in the county of Gasconade, had fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred dollars for the arrest and delivery of said Fred Neff to the sheriff of said county of Gasconade, at the county seat thereof, within twelve months from the date of these presents, and the conviction of said Fred Neff of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 18th day of January A. D. 1892.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

OFFERING A REWARD

FEBRUARY 10, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 499-500

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Jethrow Martin, charged with killing Thomas Martin in the county of Audrain, has fled from justice, and cannot be arrested by ordinary process of law: Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a

reward of Two hundred and fifty dollars for the arrest and delivery of said Jethrow Martin to the sheriff of said county of Audrain at the county seat thereof, prior to January 1st 1893, and the conviction of said Jethrow Martin of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 10th day of February A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

FEBRUARY 25, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 505-506

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—some unknown person is charged with highway robbery and rape committed on February 23rd 1892, in the county of Pettis, and has fled from justice and cannot be arrested by ordinary process of law: NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Three hundred dollars for the arrest and conviction of said unknown person of the crime aforesaid within twelve months from the date hereof.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the State of
(Seal) Missouri: Done at the city of Jefferson this 25th day of February A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THE CATTLE QUARANTINE

MARCH 3, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 508-511

By authority vested in me, and in accordance with section 8785, of the Revised Statutes of 1889, I David R. Francis, governor of Missouri, having approved of the following quarantine regulations adopted by the State Board of Agriculture for the purpose of preventing the spread of contagious disease among cattle, do hereby promulgate same and order that the same be observed and enforced throughout the commonwealth.

WHEREAS, The United States Department of Agriculture declares that splenic or Texas fever exists in all that country lying east and south of a line commencing at the southwest corner of Valverde county state of Texas, on the Rio Grande river; thence running northerly along the western boundaries of Valverde and Crockett counties; to the northwest corner of Crockett county; thence easterly along the northern boundaries of Crockett and Schleicher counties to the south eastern corner of Irion county; thence northerly along the eastern boundary of Irion county to the northeast corner of said county; thence northerly to the southern boundary of Coke county; thence westerly to the south western corner of Coke county; thence northerly along the western boundary of Coke county to the southern boundary of Mitchell county; thence easterly to the southeast corner of Mitchell county, and thence northerly along the western boundaries of Nolan and Fisher counties, to the southern boundary of Kent county; thence easterly along the southern boundary of Kent county to the south western corner of Stonewall county; thence northerly along the western boundary of Stonewall county to the southeastern corner of Dickens county; thence easterly along the northern boundary of Stonewall county to the southwestern corner of Knox county; thence northerly along the western boun-

daries of Knox and Hardeman counties to the Red River; thence northwesterly following the Red River to its point of intersection with the one hundredth meridian of longitude; thence northerly from said point of intersection along said one hundredth meridian to the southern boundary of the State of Kansas; thence easterly along the southern boundary of the State of Kansas to the northeast corner of the Indian Territory; thence southerly along the eastern boundary of the Indian Territory to the southwest corner of the State of Missouri; thence easterly along the southern boundary of the State of Missouri to the Mississippi River; thence running southerly along the Mississippi River to the southwestern corner of the county of Louderdale, state of Tennessee, thence running easterly, following the southern boundaries of the counties of Louderdale, Crockett, Gibson, Carroll, Benton, Perry, Lewis, Maurey, Marshall, Bedford, Coffee, Grundy, Siquatchie, Hamilton, Meighs, McMinn, and Monroe, State of Tennessee, to the eastern boundary of said state; thence following the northern boundaries of the counties of Cherokee, Macon, Jackson, Transylvania and Henderson, State of North Carolina, to the southeast corner of the county of Buncombe of said state; thence in a northeasterly direction following the Blue Ridge Mountains,— to the southwestern corner of the county of Madison, state of Virginia; thence easterly along the southern boundaries of the counties of Madison, Culpeper and Stafford; thence northerly along the eastern boundary of Stafford county to the Potomac River; thence following the Potomac River southerly to the Chesapeake Bay; thence easterly along the southern boundary of the State of Maryland to the Atlantic Ocean. Be it ordered by the State Board of Agriculture, and the State veterinarian, assembled within the provisions of section 8785 Revised Statutes 1889, that the following rules and regulations shall be adopted as therein provided for:

First—From March 15th to the first of December, each car carrying cattle in course of transportation from said area into or through the State of Missouri shall bear a placard setting forth plainly and in bold letters that said car con-

tains southern cattle, and when said cattle shall be unloaded north or west of the above described line to be fed or watered, the places occupied by the animals shall be considered infectious grounds, subject to quarantine, and shall be immediately set apart by the owners or lessees of the property for the accommodation of infectious Southern Cattle; no other cattle shall be admitted thereto. At points of destination said cattle shall also be placed in separate Southern Cattle pens, as prescribed in section fourth of these regulations.

Second—Whenever any cattle that have come from said area shall be reshipped from any of the points at which they have been unloaded to other points of destination, the car carrying said animals shall also bear a placard stating that said car contains Southern Cattle; and each of the way-bills of said shipment shall have a note upon its face with a similar statement. At whatever point in Missouri these cattle are unloaded, they shall also be placed in separate Southern Cattle pens, to which no other cattle shall be admitted.

Third—Cattle from the above described area shall not be transferred on foot into or through the State of Missouri from March 15th 1892 to December 1, 1892.

Fourth—All the public railroad or other stock yards which shall keep or receive Southern cattle for trade or in transit within Missouri shall provide for use, between March 15th and the first of December 1892, a sufficient number of pens to be used exclusively during that period for the accommodation of cattle coming from within the territory above described. Such pens shall be marked or designated by reasonably large signs, conspicuously posted and bearing in plain and large letters the words "Southern Cattle Pens," And all public stockyards shall, before March 20th next, file with the State Veterinarian an affidavit setting forth clearly that they have complied individually with this section of the rules and regulations.

Fifth—Cattle coming into Missouri from territory within the above described boundaries shall not, during the

period aforesaid, be kept, grazed or watered on public ranges, unfenced lands, highways, state lands or within the corporate limits of any town or city within the state of Missouri, unless quarantined in accordance with article 3 chapter 167, Revised Statutes 1889.

Sixth—The state veterinarian shall, as far as practicable cooperate with the United States Department of Agriculture in the enforcement of the regulations prescribed in its circular letter of January 11th, 1892, addressed "To the managers and agents of railroad and transportation companies of the United States, stock men and others" the object of which is to prevent the spread of Texas fever, and in which the following directions for disinfection are set forth—The cars used to transport such animals, and the pens in which they are fed and watered, and the pens set apart for their reception at points of destination, shall be disinfected in the following manner: (a) Remove all litter and manure. This litter and manure may be disinfected by mixing it with lime, diluted sulphuric acid, or if not disinfected, it may be stored where no cattle can come in contact with it until after December 1. (b) Wash the cars and the feeding and watering troughs with water until clean. (c) Saturate the walls and floors of the cars and the fencing, troughs and chutes of the pens with a solution made by dissolving four ounces of chloride of lime to each gallon of water, or disinfect the cars with a jet of steam under a pressure of not less than fifty pounds to the square inch.

Seventh—The State veterinarian may appoint deputies and inspectors to aid him in the enforcement of the above regulations and they are hereby empowered to quarantine, under such rules as may be prescribed by the State veterinarian, all cattle brought into the State in violation of these regulations: *Note*—These regulations are adopted by authority of section 8785 Revised Statutes of Missouri, 1889, and, if approved by the governor, the same section provides a penalty for violation of a fine of not less than $1000.—nor more than $10,000. for each and every offense,

to be recovered in any county into or through which such stock is brought. Sheriffs and constables in Missouri are hereby directed to enforce these regulations and to arrest any and all parties who may be guilty of violations thereof.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the great seal of the
(Seal) State of Missouri this third day of March AD. 1892.

DAVID R. FRANCIS,
Governor.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MARCH 7, 1892

From the Register of Civil Proceedings, 1889-1892, p. 513

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Marion Long, charged with killing Matthew Vandover in the county of Butler, has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of one hundred and fifty dollars for the arrest and delivery of said Marion Long to the sheriff of Butler county, at the county seat thereof within twelve months from this date; reward to be paid on conviction of crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri—Done at the city of Jefferson this 7th day of March A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 1, 1892

From the Register of Civil Proceedings, 1889-1892, p. 522

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, some unknown person is charged with killing C. E. Garrett, in the county of Newton, and has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said unknown person to the sheriff of said county of Newton, at the county seat thereof, within twelve months from the date of these presents; reward to be paid on conviction of the crime aforesaid.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri—Done at the city of Jefferson this 1st day of April A. D. 1892.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

APRIL 30, 1892

From the Register of Civil Proceedings, 1889-1892, p. 532

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS, Reison Forbis (colored) charged with killing Granville Hays (colored) in the county of Howard, has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Reison Forbis to the sheriff of said county of Howard, at the county seat thereof, within one year from the date of these presents: reward to be paid on conviction of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) state of Missouri. Done at the city of Jefferson this 30th day of April A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MAY 9, 1892

From the Register of Civil Proceedings, 1889-1892, p. 536

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—George T. Williams, deputy sheriff of Taney county was murdered at Forsyth by a body of armed men whilst attempting, in the discharge of his duty, to protect a prisoner from mob violence, and the prisoner, John W. Bright, was immediately thereafter forcibly taken from the Taney county jail at Forsyth and hanged:

NOW THEREFORE, by virtue of authority in me vested, I, David R. Francis, governor of Missouri, do hereby offer a reward of three hundred dollars each for the apprehension of the parties guilty, either as principals or accessories in the perpetration of these murders: said rewards will be paid upon conviction.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the City of Jefferson this 9th day of May A. D 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

MAY 31, 1892

From the Register of Civil Proceedings, 1889-1892, p. 543

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Mike Davis, charged with killing James R. Nicholson, in the county of Johnson, has fled from justice, and cannot be arrested by ordinary process of law:

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Mike Davis to the sheriff of said county of Johnson, at the county seat thereof, within one year from the date of these presents; reward to be paid on conviction of the crime aforesaid.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the State
(Seal) of Missouri. Done at the City of Jefferson this 31st day of May A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 16, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 547-548

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS A. O. Thomason and James Taylor are charged with killing E. G. Turley in the county of Shannon, and have fled from justice and cannot be arrested by ordinary process of law: NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Five hundred dollars for the arrest and delivery of said A. O. Thomason and James Taylor to the sheriff of said county of Shannon, at the county seat thereof, within one year from the date of these presents; two hundred dollars of said reward to be paid for the arrest and delivery, as aforesaid, of said A. O. Thomason, and three hundred dollars of said reward to be paid for the arrest and delivery, as aforesaid, of said James Taylor.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the City of Jefferson this 16th day of June A. D. 1892.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

JUNE 25, 1892

From the Register of Civil Proceedings, 1889-1892, p. 550

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, some person or persons unknown are charged with killing David Sims, a negro, in the county of Dunklin, and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Two hundred dollars for the arrest and delivery of said unknown person or persons to the sheriff of said county of Dunklin, at the county seat thereof, within one year from the date of these presents; said reward to be paid on conviction of the crime aforesaid.

In Testimony Whereof I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the City of Jefferson this 25th day of June AD 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THE DEATH OF CHARLES H. HARDIN

JULY 29, 1892

From the Register of Civil Proceedings, 1889-1892, p. 560

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, July 29, 1892.

It is with sincere sorrow that I make official announcement of the death of Hon. Charles H. Hardin, formerly governor of the Commonwealth. He departed this life at

his home, Mexico, Missouri, at 9:30 A. M. this day. Few of the citizens of Missouri have enjoyed and retained the confidence and respect of the people of their state in as high a degree as did Ex-governor Hardin—His public life extended through a quarter of a century or more and was characterized by conscientious devotion to duty. As legislator and executive he was able, just, diligent, painstaking and courageous, and as a public servant his example is worthy of emulation. Since his retirement from official station, about fifteen years ago, his attention has been largely devoted to the interests of education, and his aid and influence have at all times been given to the advancement of Missouri, to the promotion of good citizenship and to the betterment of society. Now therefore, as a manifestation of our appreciation of his life and services, and as a mark of respect to his memory, I, David R. Francis, governor, do hereby order that the flags be displayed at half mast on the State buildings until and including the day of the funeral.

DAVID R. FRANCIS,
Governor.

Attest:
A. A. LESUEUR,
Secretary of State.

ON COLUMBUS DAY

SEPTEMBER 14, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 575-576

The entire country should celebrate in a befitting manner the completion of four centuries of American life. The discovery of a new continent by Columbus is the greatest event in the history of human effort when considered in the grandeur of its undertaking, the glory of its accomplishment and the resulting benefits to mankind. It is proper and becoming that we who are enjoying the blessings of the

highest civilization of the New World should commemorate the wonderful work of the illustrious navigator and impress its importance on the minds of the growing generation.

The Congress of the United States has designated Friday, October 21st 1892, as the anniversary of the discovery, and the president has issued a proclamation declaring that day a general holiday and recommended that it be celebrated by fitting ceremonies.

NOW, THEREFORE, I, David R. Francis, governor of Missouri, by virtue of authority in me vested, do hereby nominate Columbus Day—Friday October 21, 1892, a public holiday, and do appoint the same a day of thanksgiving. I recommend that upon that day the people of the State cease their usual avocations, that all business be suspended to the extent possible, and that all of our people participate in public exercises that will appropriately do honor to the memory and achievements of Christopher Columbus. In this celebration let the public schools of the commonwealth, proud monument of our progress and chief dependence of our perpetutity, occupy a fitting prominence, that the youth of our land may be imbued with patriotic sentiments and taught the privileges and responsibilities of American Citizenship.

Given under my hand and the great seal of the State of Missouri, at the City of Jefferson this
(Seal) 14th day of September in the year of our Lord one thousand eight hundred and ninety two.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

OFFERING A REWARD

OCTOBER 17, 1892

From the Register of Civil Proceedings, 1889-1892, p. 584

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS some unknown person is charged with killing Josie Simmons in the city of St. Louis, and has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, David R. Francis, governor of the State of Missouri, by virtue of authority in me vested, hereby offer a reward of Three Hundred Dollars for the arrest and delivery of said unknown person to the sheriff of said city of St. Louis within twelve months from the date of these presents: reward to be paid on conviction of the crime aforesaid.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the great seal of the
(Seal) State of Missouri. Done at the city of Jefferson this 17th day of October A. D. 1892.

DAVID R. FRANCIS.

By the Governor:
A. A. LESUEUR,
Secretary of State.

ON THANKSGIVING

NOVEMBER 14, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 597-598

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

The people of Missouri have abundant cause to return thanks for the manifold blessings of the past year. Peace has prevailed, pestilence has not invaded our borders; bountiful harvests have rewarded our labors; for these and

for the priceless heritage of a free government, founded to afford equality of protection and of opportunity; for the fraternal sentiment that pervades our people; for the continued prosperity and progressive development of the state, let us unite in grateful acknowledgment to the giver of all good.

In accordance therefore with the recommendation of the President of the United States, I, David R. Francis, governor of Missouri, do appoint Thursday, November 24, 1892 a day of thanksgiving and prayer. On that day I call upon the people to abstain from their usual secular occupations and in their places of worship and at their firesides to give expression to their appreciation of the beneficence of Almighty God and reverently ask for a continuance of the divine favor; let them show their worthiness of blessings conferred by doing good to others and by manifesting that broad spirit of humanity which should characterize an intelligent happy and grateful people:

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the state on this 14th day of November in the year of Our Lord one thousand eight hundred and ninety two.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,
Secretary of State.

ON AN AMENDMENT TO THE STATE CONSTITUTION

NOVEMBER 30, 1892

From the Register of Civil Proceedings, 1889-1892, pp. 617-618

STATE OF MISSOURI, EXECUTIVE DEPARTMENT. S. S.

WHEREAS, The Thirty-sixth General Assembly of the State of Missouri, at its regular session, begun and held on the 7th day of January, 1891, required, by a concurrent resolution, the submitting to the qualified voters of the

state, to be voted on at the general election to be held on the Tuesday next following the first Monday in November, 1892, the following amendment to the constitution of Missouri, concerning the relief of disabled and crippled firemen by the cities of said state having an organized fire department, to wit: Section 1. That section 47, of article 4 of the constitution be amended by adding thereto the following words, to wit: Provided that this shall not be so construed as to prohibit the general assembly from providing by law for authorizing the creation, maintenance and management of a fund for the pensioning of crippled and disabled firemen, and for the relief of the widows and minor children of deceased firemen, by such cities, villages or incorporated towns as may have an organized fire department —said fund to be taken from the municipal revenue of such cities, villages or incorporated towns; And Whereas, it was certified to me by the Secretary of State, on the 30th of November A. D. 1892, that it is found from the returns of said election that a majority of the qualified voters of the state voting for and against said amendment had voted at said election in favor of said amendment:

NOW, THEREFORE, I, David R. Francis, governor of the state of Missouri, in consideration of the premises, and in accordance with the requirements of section 4755 of the revised statutes, 1889, of Missouri, do hereby declare the amendment aforesaid to be ratified by a majority of the qualified voters of the state, and to be valid and binding to all intents and purposes as a part of the constitution of the State of Missouri.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of
(Seal) the State of Missouri. Done at the city of Jefferson this 30th day of November, A. D. 1892.

DAVID R. FRANCIS.

By the Governor:

A. A. LESUEUR,

Secretary of State.

MEMORANDA OF PROCLAMATIONS AND WRITS OF ELECTION

JANUARY 31, 1889

From the Register of Civil Proceedings, 1889-1892, p. 17

The Governor issued writs of election to the sheriffs of the counties of Andrew, Atchison, Buchanan, Holt, Nodaway and Platte, composing the Fourth Congressional district, ordering an election to be held in said counties on the 19th day of February 1889 for the purpose of electing a representative in Congress from said district to fill the vacancy in said district in the Fiftieth Congress of the United States caused by the death of Honorable James N. Burnes, and directed in said writs the sheriffs to give fifteen days notice of said special election.

JANUARY 31, 1889

From the Register of Civil Proceedings, 1889-1892, p. 17

The Governor issued writs of election to the sheriffs of the counties of Andrew, Atchison, Buchanan, Holt, Nodaway and Platte, composing the Fourth Congressional district, ordering an election to be held in said counties on the 19th day of February 1889 for the purpose of electing a representative in Congress from said district to fill the vacancy in said district in the Fifty-first Congress of the United States caused by the death of Honorable James N. Burnes, and directed in said writs the sheriffs to give fifteen days notice of said special election.

MARCH 6, 1889

From the Register of Civil Proceedings, 1889-1892, p. 33

The Governor issued a writ of election to the sheriff of Maries county ordering an election to be held in said county on Saturday March 23, 1889, for the purpose of electing a representative from said county to the Thirty-fifth General Assembly to fill the vacancy caused by the death of the Honorable, O. A. Glanville.

MARCH 18, 1889

From the Register of Civil Proceedings, 1889-1892, p. 38

The Governor issued a writ of election to the sheriff of Dallas county ordering an election to be held in said county on the second day of April 1889 for the purpose of electing a representative in the Thirty fifth General Assembly from said county to fill the vacancy therein caused by the death of the Hon. W. P. Porter.

MARCH 19, 1889

From the Register of Civil Proceedings, 1889-1892, p. 39

The Governor issued a writ of election to the sheriff of the city of St. Louis ordering an election to be held in the Thirtieth senatorial district on the second day of April 1889, for the purpose of electing a state senator in said district to the 35th General Assembly to fill the vacancy caused by the resignation of Hon. Geo. A. Castleman.

SEPTEMBER 8, 1890

From the Register of Civil Proceedings, 1889-1892, p. 254

The Governor issued a writ to the sheriff of the county of Jefferson ordering a special election to be held on the 4th day of November 1890 in the counties of Jefferson, St. Louis and Washington, composing the Twenty-fifth Senatorial District, for the election of a State senator from said district to fill the vacancy caused by the death of the Hon. R. C. Allen.

SEPTEMBER 8, 1890

From the Register of Civil Proceedings, 1889-1892, p. 255

The Governor issued writs to the sheriffs of the counties of Bollinger, Cape Girardeau, Scott, Wayne, Carter, Shannon, Howell, Douglas, Ozark, Oregon, Ripley, Butler, Stoddard, Mississippi, New Madrid, Pemiscot and Dunklin, composing the Fourteenth Congressional District, ordering a special election to be held in said counties on the 4th day of November A. D. 1890 for the election of a representative in the Fifty-first Congress from said district, to fill the vacancy caused by the death of Hon. James P. Walker.

JANUARY 24, 1891

From the Register of Civil Proceedings, 1889-1892, p. 357

The Governor issued a certificate of election to George Graham Vest as United States Senator to represent the State of Missouri in the Congress of the United States for a term of six years next ensuing after the fourth day of March 1891, it having been certified that the said George Graham Vest was duly elected as United States senator as aforesaid by the senate and House of representatives of the Thirty sixth General Assembly on the 20th day of January 1891, and that on the 21st day of January 1891, the election of said George G. Vest was duly declared.

JANUARY 15, 1892

From the Register of Civil Proceedings, 1889-1892, p. 490

The Governor issued a writ of election to the sheriff of Newton county ordering an election to be held in said county February 6th 1892 for the purpose of electing a representative from said county in the 36th General Assembly to fill the vacancy caused by the death of Honorable Thomas C. Fulkerson.

DECEMBER 27, 1892

From the Register of Civil Proceedings, 1889-1892, p. 629

The Governor issued a writ of election to the sheriff of Cole county ordering a special election held in the twenty seventh senatorial district on the 28th day of January 1893 for the purpose of electing a state senator from said district to fill the vacancy caused by the death of Honorable Samuel Mosby.

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